

TEXAS COMMISSION ON FIRE PROTECTION
April 27, 2017, 10:00 a.m.
1701 N. Congress Ave., William B. Travis Building, Room 1-104, Austin, Texas

- 1. Roll call – 10:00 a.m. (including consideration of whether to excuse absences).**
- 2. Adoption of the commission meeting minutes of January 4, 2017 and January 5, 2017.**
- 3. The Budget and Strategic Plan subcommittees may meet separately or together on April 27, 2017 during the commission meeting and provide reports for discussion and possible action relating to any recommendations developed by the subcommittees, including but not limited to, modifications to the agency operating budget and strategic plan.**
- 4. Reports from fire service interest groups and agencies on matters relating to organizational purposes, functions, and objectives, including, but not limited to, the Texas Fire Chiefs Association, the Texas State Association of Fire Fighters, the State Firemen’s and Fire Marshals’ Association of Texas, the Texas Fire Marshal’s Association, the Texas Association of Fire Educators, the Texas A&M Forest Service, the National Fire Protection Association, Texas State Association of Fire and Emergency Districts, the Center for Public Safety Excellence, and the State Fire Marshal’s Office.**
- 5. Discussion and possible action concerning reports by the commission representative to the Texas Fire School Advisory Board and by representatives of the Texas Engineering Extension Service (TEEX) regarding fire protection training provided by TEEX through its Emergency Services Training Institute (ESTI).**
- 6. Discussion and possible action regarding report from commission representative to the Homeland Security Council.**
- 7. New matters from the commission, staff, or public which may be discussed in future commission meetings.**
- 8. Discussion and possible action on future meeting dates.**
- 9. Discussion and possible action regarding sunset recommendation on policy of separation of duties.**
- 10. Discussion and possible action on development of a Fire Inspector Certification that does not include all current rule components.**
- 11. Matters referred from the Fire Fighter Advisory Committee (FFAC), including, but not limited to:**
 - A. Discussion and possible final adoption of proposed amendments, new sections, and repeals as follows:**
 - 1. Discussion and possible action regarding proposed amendments to title 37 TAC, Chapter 433, Minimum Standards for Driver/Operator Pumper.**
 - B. Discussion and possible action on proposed amendments, new sections, and repeals as follows:**
 - 1. Discussion and possible action regarding proposed amendments to title 37 TAC, Chapter 425, Fire Service Instructors.**
 - 2. Discussion and possible action regarding proposed amendments to title 37 TAC, Chapter 431 Fire Investigation.**
 - 3. Discussion and possible action regarding proposed amendments to title 37 TAC, Chapter 443, Curriculum Manual.**

4. Discussion and possible action regarding proposed amendments to title 37 TAC, Chapter 453, Hazardous Materials.
 5. Discussion and possible action regarding proposed amendments to title 37 TAC, Chapter 455, Minimum Standards for Wildland Fire Protection Certification.
- C. Report from the Curriculum and Testing Committee with discussion and possible action on recommendations regarding possible changes to the Certification Curriculum Manual, including but not limited to:
- a. Basic Wildland overview, course instructor information, outline and reference list.
 - b. Basic Fire Inspector Curriculum reference list.
 - c. Hazmat Incident Commander reference list.
12. Discussion of the 2016 data collected on fire fighter injuries, and possible action on developing recommendations to be submitted to the commission for approval and inclusion in the annual report to be sent to the State Fire Marshal's Office.
13. Discussion and possible action on matters from the Executive Director.
- A. Decisions of the Executive Director in contested cases and consent orders.
 - B. Status of division functions.
14. Executive session pursuant to Section 551.074, Texas Government Code for the discussion of personnel matters: the appointment, employment, compensation, evaluation, reassignment, duties, discipline, or dismissal of the Executive Director, and the appointment, employment, reassignment, or duties of personnel acting on an Interim basis in this position.
15. Open session for further discussion and possible action regarding preceding agenda item.
16. Adjourn meeting.

The Texas Commission on Fire Protection may go into executive session on any agenda item if authorized by the Open Meetings Act, Texas Government Code Chapter 551.

1. **Roll call - 10:00 a.m. (including consideration of whether to excuse absences).**

2. **Adoption of the commission meeting minutes of January 4, 2017 and January 5, 2017.**

TEXAS COMMISSION ON FIRE PROTECTION

Presiding Officer, Robert Moore, at 2:00 p.m. called the January 4, 2017 commission workshop meeting of the Texas Commission on Fire Protection to order at 1701 N. Congress Avenue, Room 1-104, Austin, Texas.

Commissioners	Tommy Anderson	Elroy Carson**	Carlos Cortez	Kelly Doster	Pat Ekiss
Attending	John Gillette	Joseph Gonzalez	Mike Jones	John McMakin	Robert Moore
	Leonardo Perez	Steve Tull	Tivy Whitlock		

*absent entire meeting
**absent part of meeting

Staff Present Tim Rutland Deborah Cowan

1. **Roll call.** Robert Moore, Presiding Officer called roll and a quorum was present.
2. **Discussion regarding recognition of former commissioners and advisory committee members.**
Discussion only. No action necessary.
3. **Implementation of rule language regarding Chapter 435.**
Discussion only. No action necessary.
4. **Discussion regarding required versus recommended hours for commission approved courses.**
Discussion only. No action necessary.
5. **Discussion regarding special provisions for retired/senior fire service personnel.**
Discussion only. No action necessary.
6. **Discussion regarding upcoming legislative session.**
Discussion only. No action necessary.
7. **Adjourn meeting.**
The meeting was adjourned at 5:45 p.m.

Robert Moore, Presiding Officer

TEXAS COMMISSION ON FIRE PROTECTION

Presiding Officer, Robert Moore, at 9:00 a.m. called the January 5, 2017 meeting of the Texas Commission on Fire Protection to order at 1701 N. Congress Avenue, Room 1-104, Austin, Texas.

Attending	Tommy Anderson John Gillette Leonardo Perez	Elroy Carson Joseph Gonzalez Steve Tull	Carlos Cortez Mike Jones Tivy Whitlock	Kelly Doster John McMakin	Pat Ekiss Robert Moore
-----------	---	---	--	------------------------------	---------------------------

*absent entire meeting
**absent part of meeting

Staff	Tim Rutland Sylvia Miller	Deborah Cowan Lisa Gonzalez	Paul Maldonado Andrew Lutostanski, Assistant Attorney General	Joyce Guinn	Mark Roughton
-------	------------------------------	--------------------------------	--	-------------	---------------

Guests	James Michael Lenoir Thomas McMonigle Boyd Staloch Leonard Chan Randy Safer Daniel DeYear	Christopher Bassham Jose Reyes, Jr. Genaro "Albert" Perez Laurie Christensen Gregg Lloyd	Jerry Lee Rust Brian R. Brank Betty Wilkes Rebecca Mier Jason Collier	Randal Rhodes Tommy Ureste Jim Linardos Michael Oder Paul Sims	Roberto Rojas, Jr. Brent Parker Chris Connealy Glenn DeShields Mike Montgomery
--------	--	--	---	--	--

1. Roll call Commission Secretary, John Gillette called roll and a quorum was present.

2. Adoption of Minutes A motion to approve the minutes of October 27, 2016 meeting was made by Steve Tull and seconded by Leonardo Perez. The motion carried.

3. Budget and Strategic Plan Subcommittee Meeting/Reports No action necessary.

4. Reports from Interest Groups A brief report was given by the Texas Fire Chief's Association, Texas State Association of Fire Fighters, Texas Fire Marshals Association, Texas A&M Forest Service, National Fire Protection Association and the State Fire Marshal's Office.

5. Report from Fire School Advisory Board & TEEX Commission Representative Juan Gloria was unable to attend the meeting and will give a brief report on activities of the committee at the April commission meeting.

6. Report from Homeland Security Commission Representative, Joseph Gonzalez informed the commission that no meeting had taken place since the October commission meeting. The next scheduled meeting is January 17 2017 and he would have a report at that time.

7. New Fire Inspector Certification Commissioner Pat Ekiss the adhoc committee Chair, gave a report on findings of the committee.
After discussion, a motion was made by Kelly Doster and seconded by Elroy Carson to accept the adhoc committee recommendation to have staff develop an Inspector I Certification. The motion carried (8 for, 5 against)

8. New matters Nothing noted for next commission meeting.
-
9. Future meeting The commission set the following commission meeting dates for 2017:
 dates April 27th, July 12th (workshop), July 13th and October 26th
-
10. Matters from A. 1. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 403,
 Fire Fighter §403.5 as discussed was made by John Gillette and seconded by Tommy Anderson. The
 Advisory motion carried.
 Committee 2. A motion to approve for final adoption the proposed new section to 37 TAC, Chapter 437
 §437.19 as discussed was made by Leonardo Perez and seconded by Tommy Anderson.
 The motion carried.
 3. A motion to approve for final adoption the proposed amendments to 37 TAC, Chapter 457,
 §457.3 and §457.5 as discussed was made by Joseph Gonzalez and seconded by Pat Ekiss.
 The motion carried.
-
11. Matters from a. Tim Rutland, Executive Director reported no informal conferences had occurred since the
 Executive last commission meeting.
 Director b. Mr. Rutland provided commissioners information on agency functions since last commission
 meeting.
-
12. Executive Presiding Officer, Robert Moore did not call for the Executive Session.
 Session
-
13. Open No action necessary.
 Session
-
14. Adjournment A motion to adjourn was made by Elroy Carson and seconded by Kelly Doster. The motion carried.

Robert Moore, Presiding Officer

- 3. The Budget and Strategic Plan subcommittees may meet separately or together on April 27, 2017 during the commission meeting and provide reports for discussion and possible action relating to any recommendations developed by the subcommittees, including but not limited to, modifications to the agency operating budget and strategic plan.**

Texas Commission on Fire Protection

Fiscal Year 2017 - Operating Budget

Thru: February 28, 2017

Summary

Goals:	FY17 Budget	FY17 Expended	Balance	%
Education, Information and Assistance	84,334.64	45,631.32	38,703.32	
Fire Department Standards	839,420.80	396,854.96	442,565.84	
Indirect Administration	746,838.88	369,188.12	377,650.76	
1001 - Salaries & Wages:	1,670,594.32	811,674.40	858,919.92	51%
Education, Information and Assistance	3,261.72	448.18	2,813.54	
Fire Department Standards	35,887.40	12,524.31	23,363.09	
Indirect Administration	23,297.06	11,049.17	12,247.89	
1002 - Other Personnel Costs	62,446.18	24,021.66	38,424.52	62%
Education, Information and Assistance	114.28	-	114.28	
Fire Department Standards	1,307.93	-	1,307.93	
Indirect Administration	4,185.63	2,800.00	1,385.63	
2001 - Professional Fees and Services:	5,607.84	2,800.00	2,807.84	50%
Education, Information and Assistance	1,466.47	158.83	1,307.64	
Fire Department Standards	10,084.09	6,277.23	3,806.86	
Indirect Administration	8,000.00	1,631.84	6,368.16	
2003 - Consumable Supplies:	19,550.56	8,067.90	11,482.66	59%
Education, Information and Assistance	382.83	2.58	380.25	
Fire Department Standards	8,780.96	2,062.41	6,718.55	
Indirect Administration	1,786.52	15.48	1,771.04	
2004 - Utilities:	10,950.31	2,080.47	8,869.84	81%
Education, Information and Assistance	221.23	322.06	(100.83)	
Fire Department Standards	76,900.00	27,242.79	49,657.21	
Indirect Administration	28,985.00	8,203.11	20,781.89	
2005 - Travel:	106,106.23	35,767.96	70,338.27	66%
Education, Information and Assistance	20.00	5.15	14.85	
Fire Department Standards	80.00	43.95	36.05	
Indirect Administration	300.00	211.00	89.00	
2006 - Rent - Building (storage):	400.00	260.10	139.90	35%
Education, Information and Assistance	359.35	162.17	197.18	
Fire Department Standards	3,054.53	1,378.50	1,676.03	
Indirect Administration	2,156.13	973.07	1,183.06	
2007 - Rent - Machine and Other:	5,570.01	2,513.74	3,056.27	55%
Education, Information and Assistance	28,986.55	4,412.66	24,573.89	
Fire Department Standards	64,288.31	23,392.26	40,896.05	
Indirect Administration	50,674.66	25,562.36	25,112.30	
2009 - Other Operating Expense:	143,949.52	53,367.28	90,582.24	63%
Fire Department Standards	17,500.00	12,212.41	5,287.59	
4000 - Grants:	17,500.00	12,212.41	5,287.59	30%
5000 - Capital Expenditures:	-	-	-	0%
TOTAL - ALL EXPENDITURES	2,042,674.97	952,765.92	1,089,909.05	53%

Texas Commission on Fire Protection

Fiscal Year 2016 - Operating Budget

Thru: February 28, 2017

Goal A: Education, Info and Assistance

		Library	IT	Grants	Total	%
	Budget:	84,334.64	0.00	0.00	84,334.64	0
	Expended:	45,631.32	0.00		45,631.32	
1001 - Balance Salaries & Wages:		38,703.32	0.00	0.00	38,703.32	46%
Other Personnel Costs:						
7022-	Longevity Pay	220.00	0.00	0.00	220.00	
7040-	ERS-Retirement Contribution	228.18	0.00	0.00	228.18	
	Budget:	3,261.72	0.00	0.00	3,261.72	0
	Expended:	448.18	0.00	0.00	448.18	
1002 - Balance Other Personnel Costs		2,813.54	0.00	0.00	2,813.54	86%
Professional Fees and Services:						
7253-	Other Professional Fees (EAP)	0.00	0.00	0.00	0.00	
	Budget:	114.28	0.00	0.00	114.28	0
	Expended:	0.00	0.00	0.00	0.00	
2001 - Balance Professional Fees and Services:		114.28	0.00	0.00	114.28	100%
	Budget:	1,466.47	0.00	0.00	1,466.47	0
	Expended:	158.83	0.00	0.00	158.83	
2003 - (7300) Balance Consumable Supplies:		1,307.64	0.00	0.00	1,307.64	89%
Utilities:						
7517-	Telecommunications Equipment	0.00	0.00	0.00	0.00	
	Budget:	382.83	0.00	0.00	382.83	0
	Expended:	2.58	0.00	0.00	2.58	
2004 - Balance Utilities:		380.25	0.00	0.00	380.25	99%
Travel:						
7101-	Travel I/S - Public Transportation Fares	38.99	0.00	0.00	38.99	
7102-	Mileage	19.28	0.00	0.00	19.28	
7105-	Travel I/S - Incidental Expenses	10.14	0.00	0.00	10.14	
7107-	Travel I/S - Non-Overnight Travel (Meals)	55.93	0.00	0.00	55.93	
	Budget:	221.23	0.00	0.00	221.23	0
	Expended:	322.06	0.00	0.00	322.06	
2005 - Balance Travel:		-100.83	0.00	0.00	-100.83	-46%
Rent:						
7470-	Rent Space - storage	5.15	0.00	0.00	5.15	
	Budget:	20.00	0.00	0.00	20.00	0
	Expended:	5.15	0.00	0.00	5.15	
2006 - (7470) Balance Rent - Building (storage):		14.85	0.00	0.00	14.85	74%
Rent - Machine and Other:						
7406-	Rental - Furnishings & Equipment (copier)	162.17	0.00	0.00	162.17	
	Budget:	359.35	0.00	0.00	359.35	0
	Expended:	162.17	0.00	0.00	162.17	
2007 - Balance Rent - Machine and Other:		197.18	0.00	0.00	197.18	55%

Texas Commission on Fire Protection
Fiscal Year 2016 - Operating Budget
Thru: February 28, 2017

Goal A: Education, Info and Assistance

	Library	IT	Grants	Total	%
Other Operating Expense:					
7042- ERS Insurance Payment	456.30	0.00	0.00	456.30	
7201- Membership Dues	4.84	0.00	0.00	4.84	
7211- Awards	13.16	0.00	0.00	13.16	
7262- -Maint & Repair - Computer Software	11.07	0.00	0.00	11.07	
7276- Communication Services (T-1 Line)	286.45	0.00	0.00	286.45	
7291- Postage & Postal Services	289.20	0.00	0.00	289.20	
7299- Purchased Contracted Services	11.30	0.00	0.00	11.30	
7312- Medical Supplies	17.42	0.00	0.00	17.42	
7334- Furnishings & Equipment -Expensed	17.04	0.00	0.00	17.04	
7380- Computer Software - Expensed	172.56	0.00	0.00	172.56	
7382- Books - Expensed	2,672.77	0.00	0.00	2,672.77	
7947- Workers Compensation Transfer (SORM)	100.74	0.00	0.00	100.74	
7961- STS Transfers-Telecommunications (TexAn)	142.43	0.00	0.00	142.43	
7962- Capitol Complex (CCTS)	217.38	0.00	0.00	217.38	
Budget:	28,986.55	0.00	0.00	28,986.55	0
Expended:	4,412.66	0.00	0.00	4,412.66	
2009 - Balance Other Operating Expense:	24,573.89	0.00	0.00	24,573.89	85%
Grants:					
Budget:	0.00	0.00	0.00	0.00	0
Expended:	0.00	0.00	0.00	0.00	
4000 - Balance Grants:	0.00	0.00	0.00	0.00	0%
Budget:	0.00	0.00	0.00	0.00	0
Expended:	0.00	0.00	0.00	0.00	
5000 - Balance Capital Expenditures:	0.00	0.00	0.00	0.00	0%
Budget:	119,147.07	0.00	0.00	119,147.07	0
Expended:	51,142.95	0.00	0.00	51,142.95	
TOTAL BALANCE	68,004.12	0.00	0.00	68,004.12	57%

Texas Commission on Fire Protection

Fiscal Year 2017 - Operating Budget

Thru: February 28, 2017

Goal B: Fire Department Standards

	Mgmt	Complnc	Cert	Testing	Curr Dev	Total	%
Budget:	0.00	370,209.12	207,498.64	208,404.84	53,308.20	839,420.80	0.00
Expended:	0.00	185,104.56	74,582.58	110,513.72	26,654.10	396,854.96	
1001 - Balance Salaries & Wages:	0.00	185,104.56	132,916.06	97,891.12	26,654.10	442,565.84	53%
Other Personnel Costs:							
7022- Longevity Pay	0.00	3,520.00	2,960.00	2,160.00	480.00	9,120.00	
7040- ERS Retirement Contribution	0.00	925.44	372.94	552.58	133.26	1,984.22	
Budget:	0.00	10,570.88	13,547.96	8,562.04	3,206.52	35,887.40	0.00
Expended:	0.00	4,445.44	3,332.94	4,132.67	613.26	12,524.31	
1002 - Balance Other Personnel Costs	0.00	6,125.44	10,215.02	4,429.37	2,593.26	23,363.09	65%
Professional Fees and Services:							
Budget:	1,307.93	0.00	0.00	0.00	0.00	1,307.93	0.00
Expended:	0.00	0.00	0.00	0.00	0.00	0.00	
2001 - Balance Professional Fees and Service	1,307.93	0.00	0.00	0.00	0.00	1,307.93	100%
Budget:	2,985.43	727.60	478.20	5,765.36	127.50	10,084.09	0.00
Expended:	1,084.71	1,089.17	17.50	3,986.55	99.30	6,277.23	
2003 - (7300) Balance Consumable Supplies:	1,900.72	-361.57	460.70	1,778.81	28.20	3,806.86	38%
Utilities:							
7516- Telecom-Other (reg voice/internet)	0.00	2,040.47	0.00	0.00	0.00	2,040.47	
Budget:	537.72	8,218.24	0.00	0.00	25.00	8,780.96	0.00
Expended:	21.94	2,040.47	0.00	0.00	0.00	2,062.41	
2004 - Balance Utilities:	515.78	6,177.77	0.00	0.00	25.00	6,718.55	77%
Travel:							
7101- Travel I/S - Public Transportation Fares	0.00	5,883.14	0.00	546.00	186.19	6,615.33	
7102- Mileage	0.00	8,646.98	0.00	10.17	10.59	8,667.74	
7105- Travel I/S - Incidental Expenses	0.00	1,861.50	0.00	87.18	0.00	1,948.68	
7106- Travel I/S - Meals & Lodging	0.00	8,783.56	0.00	88.70	0.00	8,872.26	
7107- Travel I/S - Non-Overnight Travel (Meals)	0.00	270.58	0.00	45.86	0.00	316.44	
7112- Travel OOS - Mileage	0.00	0.00	0.00	0.00	18.36	18.36	
7115- Travel OOS - Incidental Expenses	0.00	0.00	0.00	0.00	70.20	70.20	
7116- Travel OOS - Meals, Lodging Allowable	0.00	0.00	0.00	0.00	520.10	520.10	
7135- Travel I/S - State Occupancy Tax	0.00	213.68	0.00	0.00	0.00	213.68	
Budget:	0.00	66,458.36	2,555.97	4,383.18	3,502.49	76,900.00	0.00
Expended:	0.00	25,659.44	0.00	777.91	805.44	27,242.79	
2005 - Balance Travel:	0.00	40,798.92	2,555.97	3,605.27	2,697.05	49,657.21	65%
Rent:							
7470- Rent Space - storage	43.95	0.00	0.00	0.00	0.00	43.95	
Budget:	80.00	0.00	0.00	0.00	0.00	80.00	0.00
Expended:	43.95	0.00	0.00	0.00	0.00	43.95	
2006 - Balance Rent - Building :	36.05	0.00	0.00	0.00	0.00	36.05	45%

Texas Commission on Fire Protection

Fiscal Year 2017 - Operating Budget

Thru: February 28, 2017

Goal B: Fire Department Standards

	Mgmt	Complnc	Cert	Testing	Curr Dev	Total	%
Rent - Machine and Other:							
7406- Rental - Furnishings & Equipment (copier)	1,378.50	0.00	0.00	0.00	0.00	1,378.50	
Budget:	3,054.53	0.00	0.00	0.00	0.00	3,054.53	0.00
Expended:	1,378.50	0.00	0.00	0.00	0.00	1,378.50	
2007 - Balance Rent - Machine and Other:	1,676.03	0.00	0.00	0.00	0.00	1,676.03	55%
Other Operating Expense:							
7042- ERS Insurance Payment	0.00	1,851.06	710.43	1,019.16	266.52	3,847.17	
7201- Membership Dues	41.13	25.00	0.00	0.00	0.00	66.13	
7203- Registration Fees-Employee Training	0.00	285.00	0.00	99.00	0.00	384.00	
7204- Insurance Premiums and Deductibles	0.00	220.00	0.00	0.00	0.00	220.00	
7211- Awards	111.87	0.00	0.00	0.00	0.00	111.87	
7262- Maint & Repair - Computer Equipment	94.10	0.00	0.00	0.00	0.00	94.10	
7267- Maint & Repair - Computer Equipment	0.00	0.00	0.00	592.37	0.00	592.37	
7276- Communication Services (T-1 Line)	2,434.84	959.57	0.00	0.00	0.00	3,394.41	
7286- Freight & Delivery Services	0.00	0.00	0.00	3,732.56	0.00	3,732.56	
7291- Postage & Postal Services	2,458.30	0.00	0.00	0.00	0.00	2,458.30	
7295- Fees & Other Charges (DPS)	0.00	0.00	173.53	25.53	0.00	199.06	
7299- Purchased Contracted Services	95.95	0.00	0.00	0.00	0.00	95.95	
7312- Medical Supplies	148.08	0.00	0.00	0.00	0.00	148.08	
7334- Furnishings & Equipment -Expensed	144.97	35.72	13.20	924.00	8.99	1,126.88	
7377- Computer Equipment - Expensed	0.00	40.00	0.00	0.00	0.00	40.00	
7380- Computer Software - Expensed	1,466.83	(99.09)	0.00	1,599.00	0.00	2,966.74	
7947- Workers Compensation Trnsfer (SORM)	856.34	0.00	0.00	0.00	0.00	856.34	
7961- STS Transfers-Telecommunications (TexAn)	1,210.59	0.00	0.00	0.00	0.00	1,210.59	
7962- STS transfer to GR (CCTS)	1,847.71	0.00	0.00	0.00	0.00	1,847.71	
Budget:	39,672.17	8,141.62	3,311.13	10,637.32	2,526.07	64,288.31	0.00
Expended:	10,910.71	3,317.26	897.16	7,991.62	275.51	23,392.26	
2009 - Balance Other Operating Expense:	28,761.46	4,824.36	2,413.97	2,645.70	2,250.56	40,896.05	64%
Grants:							
7623 Grants	0.00	0.00	12,212.41	0.00	0.00	12,212.41	
Budget:	0.00	0.00	17,500.00	0.00	0.00	17,500.00	0.00
Expended:	0.00	0.00	12,212.41	0.00	0.00	12,212.41	
4000 - Balance Grants:	0.00	0.00	5,287.59	0.00	0.00	5,287.59	30%
Budget:	47,637.78	464,325.82	244,891.91	237,752.74	62,695.78	1,057,304.03	0.00
Expended:	13,439.81	221,656.34	91,042.59	127,402.47	28,447.61	481,988.82	
TOTAL BALANCE	34,197.97	242,669.48	153,849.31	110,350.27	34,248.17	575,315.20	54%

Texas Commission on Fire Protection

Fiscal Year 2017 - Operating Budget

Thru: February 28, 2017

Goal C: Indirect Administration

	Exec Office	Fin Svcs	Commis	Total	%	
	Budget:	545,639.88	201,199.00	0.00	746,838.88	0.00
	Expended:	268,782.39	100,405.73	0.00	369,188.12	
1001 - Balance Salaries & Wages:	276,857.49	100,793.27	0.00	377,650.76	51%	
Other Personnel Costs:						
7022- Longevity Pay	3,480.00	780.00	0.00	4,260.00		
7033- Employee Retirement - Other expenses	0.00	1,805.22	0.00	1,805.22		
7040- ERS Retirement Contribution	1,176.63	502.10	0.00	1,678.73		
	Budget:	16,000.00	7,297.06	0.00	23,297.06	0.00
	Expended:	7,961.85	3,087.32	0.00	11,049.17	
1002 - Balance Other Personnel Costs	8,038.15	4,209.74	0.00	12,247.89	53%	
Professional Fees and Services:						
7245- Financial & Accounting Services	0.00	2,800.00	0.00	2,800.00		
	Budget:	0.00	4,185.63	0.00	4,185.63	0.00
	Expended:	0.00	2,800.00	0.00	2,800.00	
2001 - Balance Professional Fees and Services:	0.00	1,385.63	0.00	1,385.63	33%	
	Budget:	2,246.03	5,753.97	0.00	8,000.00	0.00
	Expended:	151.09	1,480.75	0.00	1,631.84	
2003 - (7300) Balance Consumable Supplies:	2,094.94	4,273.22	0.00	6,368.16	80%	
Utilities:						
7516- Telecommunications-Other Charges (reg voice/internet)	0.00	0.00	0.00	0.00		
7517- Telecommunications Equipment	0.00	0.00	0.00	0.00		
	Budget:	1544.40	242.12	0.00	1786.52	0.00
	Expended:	0.00	15.48	0.00	15.48	
2004 - Balance Utilities:	1544.40	226.64	0.00	1771.04	99%	
Travel:						
7101- Travel I/S - Public Transportation Fares	458.96	0.00	1,710.92	2,169.88		
7102- Mileage	0.00	346.08	944.18	1,290.26		
7104- Travel I/S - Actual Expense Overnight	112.43	0.00	0.00	112.43		
7105- Travel I/S - Incidental Expenses	76.86	11.62	496.37	584.85		
7106- Travel I/S - Meals & Lodging	186.00	319.00	0.00	505.00		
7107- Travel I/S - Non-Overnight Travel (Meals)	0.00	0.00	14.07	14.07		
7110- Travel I/S - Board Member Meals & Lodging	238.00	0.00	3,200.73	3,438.73		
7135- Travel I/S - State Occupancy Tax	0.00	9.96	77.93	87.89		
	Budget:	7,485.00	5,500.00	16,000.00	28,985.00	0.00
	Expended:	1,072.25	686.66	6,444.20	8,203.11	
2005 - Balance Travel:	6,412.75	4,813.34	9,555.80	20,781.89	72%	
Rent:						
7470- Rent Space - storage	180.00	31.00	0.00	211.00		
	Budget:	240.00	60.00	0.00	300.00	0
	Expended:	180.00	31.00	0.00	211.00	
2006 - (7470) Balance Rent - Building (storage):	60.00	29.00	0.00	89.00	30%	

Texas Commission on Fire Protection

Fiscal Year 2017 - Operating Budget

Thru: February 28, 2017

Goal C: Indirect Administration

	<u>Exec Office</u>	<u>Fin Svcs</u>	<u>Commis</u>	<u>Total</u>	<u>%</u>
Rent - Machine and Other:					
7406- Rental - Furnishings & Equipment (copier)	0.00	973.07	0.00	973.07	
7411- Rental - Computer Equipment	0.00	0.00	0.00	0.00	
Budget:	0.00	2,156.13	0.00	2,156.13	0.00
Expended:	0.00	973.07	0.00	973.07	
2007 - Balance Rent - Machine and Other:	0.00	1,183.06	0.00	1,183.06	55%
Other Operating Expense:					
7042- ERS Insurance Payment	2,647.88	1,004.03	0.00	3,651.91	
7201- Membership Dues	365.00	29.03	0.00	394.03	
7203- Registration Fees-Employee Training	355.00	150.00	0.00	505.00	
7262- Maint & Repair - Computer Software	0.00	66.43	0.00	66.43	
7276- Communication Services (T-1 Line)	0.00	1,718.71	0.00	1,718.71	
7291- Postage & Postal Services	0.00	1,735.26	0.00	1,735.26	
7299- Purchased Contracted Services	0.00	67.75	0.00	67.75	
7334- Furnishings & Equipment -Expensed	0.00	127.67	23.00	150.67	
7335- Parts -Computer Equipment - Expensed	-18.21	0.00	39.88	21.67	
7377- Computer Equipment - Expensed	0.00	0.00	119.98	119.98	
7380- Computer Software - Expensed	0.00	1,035.41	79.50	1,114.91	
7947- Workers Compensation Transfer (SORM)	0.00	604.48	0.00	604.48	
7961- STS Transfers-Telecommunications (TexAn)	0.00	854.55	0.00	854.55	
7962- STS transfer to GR (CCTS)	0.00	1,304.26	0.00	1,304.26	
Budget:	16,174.66	34,300.00	200.00	50,674.66	0.00
Expended:	16,039.42	8,881.05	641.89	25,562.36	
2009 - Balance Other Operating Expense:	135.24	25,418.95	-441.89	25,112.30	50%
Budget:	589,329.97	260,693.91	16,200.00	866,223.88	0.00
Expended:	294,187.00	118,361.06	7,086.09	419,634.15	
TOTAL - BALANCE	295,142.97	142,332.85	9,113.91	446,589.73	52%

TEXAS COMMISSION ON FIRE PROTECTION

FY17 BUDGET, Approved:

last updated 12/14/16

FY17 - Method of Finance:

(as of: GAA)	Info 13008	Stds 13014	Admin 13800	TOTALS
Regular Appropriation (from GAA)	117,935.00	962,372.00	849,885.00	1,930,192.00
License Plate Receipts		17,500.00		17,500.00
Appro. Receipts (IFSAC Seals)		55,000.00		55,000.00
Additional IFSAC Seals above \$50,000 **				-
Additional License Plate Receipts *				
Subtotal - Funding	117,935.00	1,034,872.00	849,885.00	2,002,692.00
INTERNAL Budget Transfers ***				-
BRP - Payroll		2,310.36	1,026.86	3,337.22
Additional Appropriation: Salary Increase	1,212.07	20,121.67	15,312.02	36,645.76
Revised Total Funding	119,147.07	1,057,304.03	866,223.88	2,042,674.98

FY17 - BUDGET DETAIL

	Info 13008	Stds 13014	Admin 13800	TOTALS
1001 - Salaries & Wages:				
7001- Salaries - Exempt Positions	-	-	102,508.08	102,508.08
7002- Salaries - Classified Positions	84,334.64	839,420.80	644,330.80	1,568,086.24
1001 - Total Salaries & Wages	84,334.64	839,420.80	746,838.88	1,670,594.32
1002 - Other Personnel Costs:				
7017- pos 1x - contingency budget				-
7022- Longevity Pay	240.00	18,880.00	8,160.00	27,280.00
7023- Lump Sum Terms and retirement payout	2,600.00	10,500.00	7,100.00	20,200.00
7033- Employee Retirement - Other expenses			3,610.44	3,610.44
7040- ERS Retirement Contribution	421.72	4,197.04	3,399.76	8,018.52
7050-Benefit Replacement Pay		2,310.36	1,026.86	3,337.22
1002 - Total Other Personnel Costs	3,261.72	35,887.40	23,297.06	62,446.18
2001 - Professional Fees and Services:				
7242- Consulting Services - IT Computers	-	-		-
7245 - Financial & Accounting Services	-		3,500.00	3,500.00
7253- Other Professional Fees	114.28	1,307.93	685.63	2,107.84
2001 - Total Professional Fees and Services:	114.28	1,307.93	4,185.63	5,607.84
2003 - Consumable Supplies:				
7300- Consumables (central Store)				-
Recurring Annual Supplies	266.47	8,195.59	5,500.00	13,962.06
Non Central Store items	1,200.00	1,888.50	2,500.00	5,588.50
2003 - Total Consumable Supplies:	1,466.47	10,084.09	8,000.00	19,550.56

FY17 - BUDGET DETAIL

	Info 13008	Stds 13014	Admin 13800	TOTALS
2004 - Utilities:				
7501- Electricity	15.09	128.34	90.57	234.00
7510- Telecommunications-Parts & Supplies	-	25.00	-	25.00
7516- Telecommunications-Other Charges	-	8,627.62	-	8,627.62
7517- Telecommunications-Equip	367.74	-	1,695.95	2,063.69
2004 - Total Utilities:	382.83	8,780.96	1,786.52	10,950.31
2005 - Travel:				
7101- Travel I/S - Public Transportation Fares	121.47	18,000.00	4,500.00	22,621.47
7102- Mileage	43.96	17,000.00	5,985.00	23,028.96
7104- Travel I/S - Actual Expense Overnight	-	-	300.00	300.00
7105- Travel I/S - Incidental Expenses	27.85	7,000.00	3,800.00	10,827.85
7106- Travel I/S - Meals & Lodging	-	31,000.00	6,000.00	37,000.00
7107- Travel I/S - Non-Overnight Travel (Meals)	27.95	1,400.00	-	1,427.95
7110- Travel I/S - Board Member Meals/Lod	-	-	8,000.00	8,000.00
7111- Travel OOS - Public Transportation Fares	-	1,000.00	-	1,000.00
7112- Travel OOS - Mileage	-	200.00	400.00	600.00
7115- Travel OOS - Incidental Expenses	-	200.00	-	200.00
7116- Travel OOS - Meals, Lodging Allowable	-	1,100.00	-	1,100.00
7135- Travel I/S - State Occupancy Tax	-	-	-	-
2005 - Total Travel:	221.23	76,900.00	28,985.00	106,106.23
2006 - Rent - Building:				
7470- Rental of Space	20.00	80.00	300.00	400.00
2006 - Total Rent - Building:	20.00	80.00	300.00	400.00
2007 - Rent - Machine and Other:				
7406- Rental - Furnishings & Equipment (copier)	316.65	2,691.53	1,899.91	4,908.09
7411- Rental - Computer Equipment	42.70	363.00	256.22	661.92
2007 - Total Rent - Machine and Other:	359.35	3,054.53	2,156.13	5,570.01

FY17 - BUDGET DETAIL

	Info 13008	Stds 13014	Admin 13800	TOTALS
2009 - Other Operating Expense:				
7042 - ERS Employee Ins Payment	774.04	8,394.32	7,468.45	16,636.81
7201- Membership Dues	100.00	100.00	300.00	500.00
7203- Registration Fees-Employee Training	34.03	689.37	1,949.26	2,672.66
7204- Insurance Premiums	31.45	367.38	188.74	587.57
7210 - Other Fees	8.06	279.55	168.39	456.00
7211- Awards	28.00	237.95	167.97	433.92
7262- M&R - Computer Software	3,000.00	-	3,941.00	6,941.00
7267- M&R - Computer Equipment	3,054.45	462.84	510.00	4,027.29
7273- Reproduction & Printing	-	-	200.00	200.00
7276- Communication Services	137.09	3,143.70	822.56	4,103.35
7286- Freight/Delivery Services	0.88	8,000.00	20.00	8,020.88
7291- Postage & Postal Services	600.00	4,000.00	3,500.00	8,100.00
7295- Fees & Other Charges - dps (7210)	-	400.00	-	400.00
7299- Purchased Contracted Services	39.77	400.00	-	439.77
7303- Subscriptions, Periodicals and Info Services	2,666.13	100.00	29.11	2,795.24
7334- Furnishings & Equipment -Expensed	1,500.00	6,300.00	7,469.80	15,269.80
7335- Parts -Computer Equipment - Expensed	1.03	2,000.00	989.86	2,990.89
7367- Personal Property - M&R	-	2,000.00	-	2,000.00
7374- Personal Property-F&E- Controlled	-	-	-	-
7377- Computer Equipment - Expensed	4,600.00	6,200.00	9,500.00	20,300.00
7378- Computer Equipment - Controlled	3,755.94	9,216.53	5,500.00	18,472.47
7379- Computer Equipment - Cap (>1,000)	-	-	-	-
7382- Books - Expensed	2,500.00	131.42	70.49	2,701.91
7806- Interest	-	-	-	-
7947- Workers Compensation Transfer	127.00	1,079.53	762.01	1,968.54
7953- SWCAP payment/cost allocation	-	-	-	-
7961- STS Transfers-Telecommunications	378.43	3,216.41	2,270.44	5,865.28
7962 - STS transfer to GR (CCTS)	601.48	5,112.59	3,608.88	9,322.95
2009 - Total Other Operating Expense:	28,986.55	64,288.31	50,674.66	143,949.52
4000 - Grants:				
7623- Grants- Community Serv. Programs	-	17,500.00	-	17,500.00
4000 - Grants:	-	17,500.00	-	17,500.00
5000 - Capital Expenditures:	-	-	-	-
TOTAL - EXPENDITURES	119,147.07	1,057,304.03	866,223.88	2,042,674.97
Difference from MOF:	0.00	0.00	0.00	0.00

Key	Strategy	FY17 1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	FY17 YTD Sum	FY17 Target	% Target ytd/tar	Measures/Explanation
-----	----------	--------------	---------	---------	---------	--------------	-------------	------------------	----------------------

Output *A quantifiable indicator of the number of goods or services an agency produces*

Yes	Standards Enforcement	253	244			497	1,120	44%	Number of inspections of regulated entities.
						Cumulative			Includes bi-annual inspections, audits, and investigations.
Yes	Standards Enforcement	2,145	2,499			4,644	9,500	49%	Number of examinations administered.
						Cumulative			
	Indirect Administration		\$3,244			\$3,244	\$13,000	25%	Dollar value of professional & other services from HUBs. From semi-annual Comptroller report
						Cumulative			

Explanatory (Annual) *An indicator of factors, agency resources, or requests received that affect a state entity's performance.*

Yes	Standards Enforcement	87.32%	86.42%			86.87%	90%	97%	Pass Rate (Percent)
						Non-Cumulative			
Yes	Standards Enforcement	31,216	32,004			31,610	31,600	100%	Number of individuals certified by the Commission.
						Non-Cumulative			
Yes	Standards Enforcement	268	257			263	260	101%	Number of training providers certified by the Commission.
						Non-Cumulative			

Cumulative Measure: A measure for which one quarter's performance can be added to a previous quarter's performance to obtain year-to-date performance.

Non-Cumulative Measure: A measure which is calculated from the entire reporting period (year), not on the basis of adding together the performance from separate quarters.

Efficiency *A quantifiable indicator of productivity expressed in unit costs, units of time, or other ratio-based units*

Yes	Standards Enforcement	\$358	\$346			\$352	\$425	83%	Average cost per inspection of regulated facilities.
						Non-Cumulative			Costs = Inspector salaries + 25% of manager salary, other personnel costs, applicable travel expenses Total inspections per quarter = Inspections + audits + investigations

Key	Strategy	FY17 1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	FY17 YTD Sum	FY17 Target	% Target ytd/tar	Measures/Explanation
Outcome		(Annual)		<i>A quantifiable indicator of the public and customer benefits from an agency's actions</i>					
	Indirect Administration		57.32%			57.3%	10%	573%	Percent of total dollar value of commodity purchasing from HUBs. Taken from semi-annual Comptroller report
Non-Cumulative									

Note: Explanations are provided for measures that are 5% or more off target.

- 4. Reports from fire service interest groups and agencies on matters relating to organizational purposes, functions, and objectives, including, but not limited to, Texas Fire Chiefs Association, the Texas State Association of Fire Fighters, the State Firemen's and Fire Marshals' Association of Texas, the Texas Fire Marshal's Association, the Texas Association of Fire Educators, the Texas A&M Forest Service, the National Fire Protection Association, Texas State Association of Fire and Emergency Districts, the Center for Public Safety Excellence, and the State Fire Marshal's Office.**

5. **Discussion and possible action concerning reports by the commission representative to the Texas Fire School Advisory Board and by representatives of the Texas Engineering Extension Service (TEEX) regarding fire protection training provided by TEEX through its Emergency Services Training Institute (ESTI).**

6. Discussion and possible action regarding report from commission representative to the Homeland Security Council.

- 7. New matters from the commission, staff, or public which may be discussed in future commission meetings.**

8. Discussion and possible action on future meeting dates.

9. Discussion and possible action regarding sunset recommendation on policy of separation of duties.

<p style="text-align: center;">Articulation of Duties - Commission and Executive Director</p> <p style="text-align: center;">Effective date: [Effective Date] Page 1 of 4</p>	 <p style="text-align: center;">Texas Commission on Fire Protection PO Box 2286 Austin, TX 78768-2286 (512) 938-3838, FAX (512) 936-3808 info@tcfp.texas.gov</p>
<p>See also: Texas Government Code, Chapter 419.</p>	

1. Scope and Background

This policy applies to the appointed members of the commission (board), and to the executive director and agency staff.

Chapter 419 of the Texas Government Code outlines the broad duties and responsibilities of the commission. This policy further delineates the distinct duties and responsibilities of the commission and agency staff.

2. Purpose

The purpose of this policy is to “implement policies that clearly separate the policy-making responsibilities of the commission and the management responsibilities of the executive director and the staff of the commission.” (Chapter 419, §419.009 [c], Texas Government Code).

3. Duties and Responsibilities of the Commission

A. Articulate the organization’s mission and purpose.

The commission’s mission and purpose statements articulate the goals, means, and primary population served. The commission develops the organization’s mission statement and reviews it periodically.

B. Develop and approve the organization’s strategic plan.

The commission will develop and revise the organization’s strategic plan biannually for submittal to the appropriate state offices. The commission determines which programs are the most consistent with its mission, and monitors their effectiveness. The commission governs the organization by establishing priorities and ensuring the agency’s capacity to carry out programs by periodically reviewing its work.

C. Adopt rules for its internal management and control, and for the administration of its powers and duties.

The commission’s general powers and duties are set out in Chapter 419, Texas Government Code. Rules adopted by the commission for the implementation of

its powers and duties are contained in Title 37, Chapter 13, Texas Administrative Code, also known as the commission's "standards manual".

D. Select an executive director and review his or her performance regularly.

The commission establishes the executive director's job description and selects the most qualified individual for the position. The commission should ensure that the executive director has the moral and professional support he or she needs to further its goals. The commission should evaluate the executive director's performance at least annually, but is not constrained from addressing issues at any time.

E. Ensure adequate resources for the fulfillment of the agency's mission.

The commission works to ensure that the agency has adequate financial and human resources to fulfill its mission. The commission works in partnership with the executive director to inform and educate the Governor's office, the legislature, other oversight agencies, regulated persons, and the general public about the agency's needs. The commission assists the executive director in developing the annual budget and ensuring that proper financial controls are in place.

The commission accounts to the public for the activities of the agency and expenditures of its funds, including:

- Providing for fiscal accountability
- Approving the budget
- Assisting in the development of, and approving the bi-annual legislative appropriations request

F. Enhance the organization's public image.

The commission members are a key link to the fire service and the general public. The members articulate the organization's mission, accomplishments, and goals to these groups. Commission members also work to garner support from important members of the community, and play a vital role in the agency's comprehensive public relations strategy.

G. Assess its own performance.

By evaluating its performance in fulfilling its responsibilities, the commission can recognize its achievements and reach consensus on areas needing improvement.

4. Duties and Responsibilities of the Executive Director

The executive director serves as chief executive and administrative officer for the Texas Commission on Fire Protection.

A. The executive director is the senior staff member of the organization, selected by and reporting directly to the commission board. He or she will:

- Carry out initiatives, priorities, programs, and directives developed by the commission.
- See that the commission is kept fully informed on the condition of the organization and any important factors influencing it.

B. The executive director is responsible for the agency's work in accordance with applicable government statutes and codes. He or she will:

- Faithfully execute and implement the requirements of the government and administrative codes applicable to the commission's responsibilities.
- Propose new rules and rule changes. The executive director will ensure that staff is working cooperatively with applicable committees or persons as needed for the drafting of proposed rule language to be considered by the commission.

C. The executive director will represent the agency to the office of the Governor, the legislature, various oversight agencies, the fire service, and the public. This will include:

- Providing leadership in advancing the work of the commission.
 - Publicizing the activities of the organization, its programs, and its goals.
 - Establishing sound working relationships and cooperative arrangements with fire service stakeholder groups and other organizations, and representing the commission at state, local, and organizational functions.
 - Preparing and submitting reports as required.
-

- Testifying before the Texas Legislature.

D. The executive director will manage both strategic and daily initiatives of the agency through:

- Management of the agency's strategic plan as approved by the commission.
 - Development and management of the agency's annual budget, biannual legislative appropriations requests, and other reports required of the commission as a state agency.
 - Oversight and coordination of all functional areas, including certification, compliance, testing, public information and education, budget/finance, human resources, and information technology.
 - Development and adoption of policies to guide internal operations.
 - Implementation of rules placed upon state agencies by the executive or legislative branches of state government.
 - Recruitment, employment, and release of agency personnel.
 - Evaluation and professional development of agency staff, to include establishment of appropriate practices for succession.
-

- 10. Discussion and possible action on development of a Fire Inspector Certification that does not include all current rule components.**

CHAPTER 429

FIRE INSPECTOR

SUBCHAPTER A

MINIMUM STANDARDS FOR FIRE INSPECTOR I CERTIFICATION

§429.1 Minimum Standards for Fire Inspector I Personnel.

- (a) Fire protection personnel of a governmental entity who are appointed to fire code enforcement duties at the Fire Inspector I level must be certified, as a minimum, as a Fire Inspector I as specified in §429.3 of this title (relating to Minimum Standards for Fire Inspector I Certification) within one year of initial appointment to such duties.
- (b) Prior to being appointed to fire code enforcement duties at the Fire Inspector I level, all personnel must complete the applicable commission approved fire inspection training program and successfully pass the commission examination pertaining to that curriculum.
- (c) Individuals holding any level of fire inspector certification will be required to comply with all applicable continuing education requirements in Chapter 441 of this title (relating to Continuing Education).
- (d) Fire code enforcement is defined as the enforcement of laws, codes, and ordinances of the authority having jurisdiction pertaining to fire prevention.
- (e) Personnel certified as Fire Inspector I may only engage in fire code enforcement duties that are commensurate with the job performance requirements listed for Fire Inspector I in the current edition of NFPA 1031: Standard for Professional Qualifications for Fire Inspector and Plan Examiner, or its successor.

§429.3 Minimum Standards for Fire Inspector I Certification.

In order to be certified as a Fire Inspector I, an individual must:

- (1) possess valid documentation as an Inspector I from either:
 - (A) the International Fire Service Accreditation Congress; or
 - (B) the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2009 or later edition of the NFPA standard applicable to this discipline and meeting the requirements as specified in §439.1 of this title (relating to Requirements—General); or
- (2) complete a commission approved Fire Inspector I training program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved Fire Inspector I training program shall consist of one of the following:
 - (A) completion of the commission approved Fire Inspector I Curriculum, as specified in the commission's Certification Curriculum Manual; or
 - (B) successful completion of an out-of-state, NFA, and/or military training program which has been submitted to the commission for evaluation and found to meet the minimum

requirements in the commission approved Fire Inspector I Curriculum as specified in the commission's Certification Curriculum Manual; or

(C) documentation of the receipt of a Fire Inspector I certificate issued by the State Firemen's and Fire Marshals' Association of Texas that is deemed equivalent to a commission approved Fire Inspector I curriculum.

§429.5 International Fire Service Accreditation Congress (IFSAC) Seal.

Individuals who pass the state examination for Fire Inspector I may be granted an IFSAC seal for Inspector I by making application to the commission for the IFSAC seal and paying the applicable fee. In order to qualify for the IFSAC seal, an individual must submit the application for the seal prior to the expiration of the examination.

CHAPTER 429

FIRE INSPECTOR

SUBCHAPTER B

MINIMUM STANDARDS FOR FIRE INSPECTOR II/PLAN EXAMINER I CERTIFICATION

§429.201 Minimum Standards for Fire Inspector II/Plan Examiner I Personnel.

- (a) Fire protection personnel of a governmental entity who are appointed to fire code enforcement duties **at the Fire Inspector II/Plan Examiner I level** must be certified, as a minimum, as a **Basic Fire Inspector II/Plan Examiner I** [basic fire inspector] as specified in §429.203 of this title (relating to Minimum Standards for Basic Fire Inspector II/Plan Examiner I Certification) within one year of initial appointment to such position.
- (b) Prior to being appointed to fire code enforcement duties **at the Fire Inspector II/Plan Examiner I level**, all personnel must complete **the applicable commission approved** ~~fa Commission approved basic~~ fire inspection training program and successfully pass the **commission** ~~[Commission]~~ examination pertaining to that curriculum.
- (c) Individuals holding any level of fire inspector certification shall be required to comply with **all applicable** ~~the~~ continuing education requirements in **Chapter 441** ~~{§441.13}~~ of this title (**relating to Continuing Education**). ~~(relating to Continuing Education for Fire Inspection Personnel).~~
- (d) **Fire code** ~~[Code]~~ enforcement is defined as the enforcement of laws, codes, and ordinances of the authority having jurisdiction pertaining to fire prevention.
- (e) Individuals who supervise others in the area of fire code enforcement, or manage fire code enforcement programs must be certified as Fire Inspector II/Plan Examiner I, or hold a Fire Inspector certification issued prior to [date].**
- (f) Individuals wishing to satisfy the requirements for Head of a Prevention-Only Fire Department by holding a Fire Inspector certification must hold Fire Inspector II/Plan Examiner I certification, or hold a Fire Inspector certification issued prior to [date].**

§429.203 Minimum Standards for Basic Fire Inspector II/Plan Examiner I Certification.

In order to be certified as a **Basic Fire Inspector II/Plan Examiner I**, ~~[basic fire inspector,]~~ an individual must:

- (1) possess valid documentation as an Inspector I, Inspector II, and Plan Examiner I from either:
- (A) the International Fire Service Accreditation Congress; or
 - (B) the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2009 or later edition of the NFPA standard applicable to this discipline and meeting the requirements as specified in **§439.1** ~~{§439.1(a)(2)}~~ of this title (relating to Requirements—General); or
- (2) complete a commission approved ~~[Basic]~~ Fire Inspector **II/Plan Examiner I** program and successfully pass the commission examination(s) as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved ~~[basic]~~ fire inspection training program shall consist of one or any combination of the following:

- (A) completion of the commission approved [~~Basic~~] Fire Inspector **II/Plan Examiner I** Curriculum, as specified in [~~Chapter 4 of~~] the commission's Certification Curriculum Manual; or
- (B) successful completion of an out-of-state, NFA, and/or military training program which has been submitted to the commission for evaluation and found to meet the minimum requirements [~~as listed~~] in the commission approved [~~Basic~~] Fire Inspector **II/Plan Examiner I** Curriculum as specified in [~~Chapter 4 of~~] the commission's Certification Curriculum Manual; or
- (C) successful completion of the following college courses:
 - (i) Fire Protection Systems, three semester hours;
 - (ii) Fire Prevention Codes and Inspections, three semester hours;
 - (iii) Building Construction in the Fire Service or Building Codes and Construction, three semester hours;
 - (iv) Hazardous Materials I, II, or III, three semester hours (total semester hours, 12).
- (D) documentation of the receipt of Fire Inspector I, Fire Inspector II, and Plan Examiner I certificates issued by the State Firemen's and Fire Marshals' Association of Texas that are deemed equivalent to a commission approved [~~Basic~~] Fire Inspector **II/Plan Examiner I** curriculum.

§429.205 Minimum Standards for Intermediate Fire Inspector II/Plan Examiner I Certification.

- (a) Applicants for Intermediate Fire Inspector **II/Plan Examiner I** Certification must meet the following requirements:
 - (1) hold as a prerequisite Basic Fire Inspector **II/Plan Examiner I** Certification as defined in §429.203 of this title (relating to Minimum Standards for Basic Fire Inspector **II/Plan Examiner I** Certification); and
 - (2) acquire a minimum of four years of fire protection experience and complete the training listed in one of the following options:
 - (A) Option 1--Successfully complete six semester hours of fire science or fire technology from an approved Fire Protection Degree Program and submit documentation as required by the Commission that the courses comply with subsections (b) and (c) of this section; or
 - (B) Option 2--Completion of coursework from either the A-List or the B-List courses. Acceptable combinations of courses are as follows: two A-List courses; or eight B-List courses; or one A-List course and four B-List courses. (See the exception outlined in subsection (c) of this section); or
 - (C) Option 3--Completion of coursework from either the A-List or the B-List courses in combination with college courses in fire science or fire protection. Acceptable combinations of courses are three semester hours meeting the requirements of Option 1 with either one A-List course or four B-List courses. (See the exception outlined in subsection (c) of this section.)
- (b) Non-traditional credit awarded at the college level, such as credit for experience or credit by examination obtained from attending any school in the **commission's** [~~Commission's~~] Certification Curriculum Manual or for experience in the fire service, may not be counted toward this level of certification.

- (c) The training required in this section must be in addition to any training used to qualify for any lower level of Fire Inspector **II/Plan Examiner I** Certification. Repeating a course or a course of similar content cannot be used towards this level of certification.

§429.207 Minimum Standards for Advanced Fire Inspector II/Plan Examiner I Certification.

- (a) Applicants for Advanced Fire Inspector **II/Plan Examiner I** Certification must complete the following requirements:
- (1) hold as a prerequisite an Intermediate Fire Inspector **II/Plan Examiner I** Certification as defined in §429.205 of this title (relating to Minimum Standards for Intermediate Fire Inspector **II/Plan Examiner I** Certification); and
 - (2) acquire a minimum of eight years of fire protection experience and complete the training listed in one of the following options:
 - (A) Option 1--Successfully complete six semester hours of fire science or fire technology from an approved Fire Protection Degree Program and submit documentation as required by the Commission that the courses comply with subsections (b) and (c) of this section; or
 - (B) Option 2--Completion of coursework from either the A-List or the B-List courses. Acceptable combinations of courses are as follows: two A-List courses; or eight B-List courses; or one A-List course and four B-List courses. (See the exception outlined in subsection (c) of this section); or
 - (C) Option 3--Completion of coursework from either the A-List or the B-List courses in combination with college courses in fire science or fire protection. Acceptable combinations of courses are three semester hours meeting the requirements of Option 1 with either one A-List course or four B-List courses. (See the exception outlined in subsection (c) of this section.)
- (b) Non-traditional credit awarded at the college level, such as credit for experience or credit by examination obtained from attending any school in the **commission's** [~~Commission's~~] Certification Curriculum Manual or for experience in the fire service, may not be counted toward this level of certification.
- (c) The training required in this section must be in addition to any training used to qualify for any lower level of Fire Inspector **II/Plan Examiner I** Certification. Repeating a course or a course of similar content cannot be used towards this level of certification.

§429.209 Minimum Standards for Master Fire Inspector II/Plan Examiner I Certification.

- (a) Applicants for Master Fire Inspector **II/Plan Examiner I** Certification must complete the following requirements:
- (1) hold as a prerequisite an Advanced Fire Inspector **II/Plan Examiner I** Certification as defined in §429.207 of this title (relating to Minimum Standards for Advanced Fire Inspector **II/Plan Examiner I** Certification); and
 - (2) acquire a minimum of 12 years of fire protection experience, and 60 college semester hours or an associate's degree, which includes at least 18 college semester hours in fire science subjects.
- (b) College level courses from both the upper and lower division may be used to satisfy the education requirement for Master Fire Inspector Certification.

§429.211 International Fire Service Accreditation Congress (IFSAC) Seal.

- (a) Individuals who hold commission Fire Inspector certification issued prior to January 1, 2005, may apply to test for Plan Examiner I. Upon successful completion of the examination, an IFSAC seal for Plan Examiner I may be granted by making application to the commission for the IFSAC seal and paying the applicable fee.
- (b) Individuals who pass the applicable section of the state examination may be granted IFSAC seal(s) for Inspector I, Inspector II, and/or Plan Examiner I by making application to the commission for the IFSAC seal(s) and paying the applicable fees, provided they meet the following provisions:
 - (1) To receive the IFSAC Inspector I seal, the individual must:
 - (A) complete the Inspector I section of a commission approved course; and
 - (B) pass the Inspector I section of a commission examination.
 - (2) To receive the IFSAC Inspector II seal, the individual must:
 - (A) complete the Inspector II section of a commission approved course;
 - (B) document possession of an IFSAC Inspector I seal; and
 - (C) pass the Inspector II section of a commission examination.
 - (3) To receive the IFSAC Plan Examiner I seal, the individual must:
 - (A) complete the Plan Examiner I section of a commission approved course; and
 - (B) pass the Plan Examiner I section of a commission examination.
- (c) In order to qualify for an IFSAC seal, an individual must submit the application for the seal prior to the expiration of the examination.

From: Glenn Deshields
Sent: Monday, February 20, 2017 12:59 PM
To: Tim Rutland; Jim Reidy
Subject: Inspector Rule Draft

Tim and Jim:

I had our attorney draft up rules for the new inspector requirement (see attachment). We concur with what Gillette said about including inspector 1 and 2 into the new inspector spot. We can comment further as needed.

Thanks,

Glenn Deshields
Legislative Director
Texas State Association of Fire Fighters

Texas Administrative Code

<u>TITLE 37</u>	PUBLIC SAFETY AND CORRECTIONS
<u>PART 13</u>	TEXAS COMMISSION ON FIRE PROTECTION
<u>CHAPTER 429</u>	MINIMUM STANDARDS FOR FIRE INSPECTOR CERTIFICATION
RULE §429.202	Minimum Standards for [insert name here] Certification

In order to be certified as a [insert name here], an individual must:

- (1) possess valid documentation as an Inspector I and Inspector II from either:
 - (A) the International Fire Service Accreditation Congress; or
 - (B) the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2009 or later edition of the NFPA standard applicable to this discipline and meeting the requirements as specified in §439.1(a)(2) of this title (relating to Requirements--General); or
- (2) complete a commission approved [insert name here] program and successfully pass the commission examination(s) as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved [insert name here] training program shall consist of one or any combination of the following:
 - (A) completion of the commission approved [insert name here] Curriculum, as specified in Chapter 4 of the commission's Certification Curriculum Manual; or
 - (B) successful completion of an out-of-state or military training program which has been submitted to the commission for evaluation and found to meet the minimum requirements as listed in the commission approved [insert name here] Curriculum as specified in Chapter 4 of the commission's Certification Curriculum Manual; or
 - (C) successful completion of the following college courses:
 - (i) Fire Protection Systems, three semester hours;
 - (ii) Fire Prevention Codes and Inspections, three semester hours;
 - (iii) Building Construction in the Fire Service or Building Codes and Construction, three semester hours;
 - (iv) Hazardous Materials I, II, or III, three semester hours (total semester hours, 12); or
 - (D) documentation of the receipt of Fire Inspector I and Fire Inspector II certificates issued by the State Firemen's and Fire Marshals' Association of Texas that are deemed equivalent to a commission approved [insert name here] curriculum.

- 11. Matters referred from the Fire Fighter Advisory Committee (FFAC), including but not limited to:**
 - A. Discussion and possible final adoption of proposed amendments, new sections, and repeals as follows:**
 - 1. Discussion and possible action regarding proposed amendments to title 37 TAC, Chapter 433, Minimum Standards for Driver/Operator Pumper.**



Texas Commission on Fire Protection

Agenda Item Summary

MEETING: Commission

DATE: 04/27/2017

Agenda Item #: 11A - #1

Agenda Title: New rule language for Driver Operator - Aerial

Action to be taken: Discussion with possible final adoption

Origin of Item: FF Advisory Committee

1. INTRODUCTION/PURPOSE

The new rule language identifies and defines requirements for Driver Operator-Aerial Apparatus, a new certification to be offered by the commission. The revision also establishes a new Subchapter for Driver/Operator – Pumper, and Subchapter B for Driver/Operator – Aerial Apparatus.

2. DESCRIPTION/ JUSTIFICATION

Development of the new certification per the direction of the Commission board.

3. BUDGET IMPACT

Some positive impact may be anticipated from an increase in testing and certification application fee collection.

4. TIMELINE CONSIDERATIONS

Proposed language is for possible final adoption

5. RECOMMENDATION

Recommend for final adoption

6. REFERENCES

37 TAC, Chapter 433, Minimum Standards for Driver/Operator Pumper

CHAPTER 433

~~MINIMUM STANDARDS FOR] DRIVER/OPERATOR [PUMPER]~~

SUBCHAPTER A

MINIMUM STANDARDS FOR DRIVER/OPERATOR-PUMPER

§433.1 Driver/Operator-Pumper Certification.

A driver/operator - pumper is defined as an individual who safely operates a fire pumper in accordance with all state and local laws; operates a fire pump in a safe manner; and determines effective fire stream calculations and pump discharge pressures. Responsibilities include routine apparatus tests, maintenance, inspections, and servicing functions.

§433.3 Minimum Standards for Driver/Operator-Pumper Certification.

(a) In order to obtain Driver/Operator-Pumper certification, the individual must:

- (1) hold certification as Structural Fire Protection Personnel, Aircraft Rescue Fire Fighting Personnel, or Marine Fire Protection Personnel; and
- (2) possess valid documentation as a Driver/Operator-Pumper from either:
 - (A) the International Fire Service Accreditation Congress; or
 - (B) the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2009 or later edition of the NFPA standard applicable to this discipline and meeting the requirements as specified in §439.1(a)(2) of this title (relating to Requirements—General); or
- (3) complete a commission approved Driver/Operator-Pumper Curriculum and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved driver/operator-pumper program must consist of one of the following:
 - (A) complete a commission approved Driver/Operator-Pumper Curriculum as specified in Chapter 7 of the commission's Certification Curriculum Manual;
 - (B) complete an out-of-state training program that has been submitted to the commission for evaluation and found to be equivalent to or exceeds the commission approved Driver/Operator-Pumper Curriculum; or

(C) complete a military training program that has been submitted to the commission for evaluation and found to be equivalent to or exceeds the commission approved Driver/Operator-Pumper Curriculum.

(b) Out-of-state or military training programs, which are submitted to the commission for the purpose of determining equivalency, will be considered equivalent if all competencies set forth in Chapter 7 (pertaining to Driver/Operator-Pumper) of the commission's Certification Curriculum Manual are met.

§433.5 Examination Requirements.

(a) Examination requirements of Chapter 439 of this title (relating to Examinations for Certification) must be met in order to receive driver/operator-pumper certification.

(b) Individuals will be permitted to take the Commission examination for driver/operator-pumper by documenting, as a minimum, completion of the NFPA 1001 Fire Fighter I training, and completing a Commission-approved driver/operator-pumper curriculum.

§433.7 International Fire Service Accreditation Congress (IFSAC) Seal.

(a) Individuals holding a current commission Driver/Operator-Pumper certification received prior to March 10, 2003, may be granted an International Fire Service Accreditation Congress (IFSAC) seal as a Driver/Operator-Pumper by making application to the commission for the IFSAC seal and paying the applicable fees. This subsection will expire on August 1, 2016.

(b) Individuals completing a commission approved driver/operator-pumper program; documenting, as a minimum, an IFSAC seal for Fire Fighter I; and passing the applicable state examination may be granted an IFSAC seal as a Driver/Operator-Pumper by making application to the commission for the IFSAC seal and paying applicable fees.

SUBCHAPTER B

MINIMUM STANDARDS FOR DRIVER/OPERATOR-AERIAL APPARATUS

§433.201 Driver/Operator-Aerial Apparatus Certification.

- (a) A Driver/Operator – Aerial Apparatus is defined as an individual who operates an aerial apparatus safely and in accordance with all state and local laws; safely and correctly maneuvers, positions, stabilizes, and operates an aerial apparatus and device; and effectively deploys and operates an elevated master stream from a water source. Other responsibilities include routine apparatus testing, maintenance, inspections, and servicing functions.
- (b) Individuals holding Driver/Operator - Pumper certification are eligible to take the commission examination for Driver Operator-Aerial Apparatus upon documentation to the commission that the individual has completed Driver Operator-Aerial Apparatus training that meets the minimum requirements of the National Fire Protection Association Standard 1002, Chapter 6 (2014 edition) or provide documentation of proficiency in the operation of an aerial apparatus in the form of a non self-serving affidavit from a department with an in service aerial apparatus. This section will expire on February 28, 2018.

§433.203 Minimum Standards for Driver/Operator-Aerial Apparatus Certification.

- (a) In order to obtain Driver/Operator-Aerial Apparatus certification, the individual must:
- (1) hold certification as Structural Fire Protection Personnel, Aircraft Rescue Fire Fighting Personnel, or Marine Fire Protection Personnel; and
 - (2) possess valid documentation as a Driver/Operator-Aerial Apparatus from either:
 - (A) the International Fire Service Accreditation Congress; or
 - (B) the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2014 or later edition of the NFPA standard applicable to this discipline and meeting the requirements as specified in §439.1(a)(2) of this title (relating to Requirements—General);
or
 - (3) complete a commission approved Driver/Operator-Aerial Apparatus training program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved

driver/operator-aerial apparatus training program must consist of one of the following:

(A) completion of an in-state Driver/Operator-Aerial Apparatus program meeting the requirements of the applicable NFPA standard and conducted by a commission certified training provider, that was submitted and approved through the commission's training prior approval system; or

(B) completion of an out-of-state training program that has been submitted to the commission for evaluation and found to meet the requirements of the applicable NFPA standard; or

(C) completion of a military training program that has been submitted to the commission for evaluation and found to meet the requirements of the applicable NFPA standard.

(b) Out-of-state or military training programs submitted to the commission for the purpose of determining equivalency will be considered equivalent if the training addresses all job performance requirements of the applicable NFPA standard.

§433.205 Examination Requirements.

(a) Examination requirements of Chapter 439 of this title (relating to Examinations for Certification) must be met in order to receive Driver/Operator-Aerial Apparatus certification.

(b) Individuals will be permitted to take the commission examination for Driver/Operator-Aerial Apparatus by documenting, as a minimum, completion of the NFPA 1001 Fire Fighter I training, and completing a commission-approved Driver/Operator-Aerial Apparatus training program.

11. Matters referred from the Fire Fighter Advisory Committee (FFAC), including but not limited to:

B. Discussion and possible action on proposed amendments, new sections, and repeals as follows:

1. Discussion and possible action regarding proposed amendments to title 37 TAC, Chapter 425, Fire Service Instructors.



Texas Commission on Fire Protection

Agenda Item Summary

MEETING: Commission

DATE: 04/27/2017

Agenda Item #: 11B - #1

Agenda Title: Proposed rule change

Action to be taken: Discussion with possible action for publication

Origin of Item: FF Advisory Committee

1. INTRODUCTION/PURPOSE

The changes correct obsolete language and make other minor language changes for clarification and consistency.

2. DESCRIPTION/ JUSTIFICATION

The obsolete language was incorrectly referencing another section of commission rules.

3. BUDGET IMPACT

No impact anticipated

4. TIMELINE CONSIDERATIONS

For possible publication to Texas Register

5. RECOMMENDATION

Recommend publication

6. REFERENCES

37 TAC, Chapter 425, Fire Service Instructors

CHAPTER 425

FIRE SERVICE INSTRUCTORS

§425.1 Minimum Standards for Fire Service Instructor Certification.

- (a) Training programs that are intended to satisfy the requirements for fire service instructor certification must meet the curriculum and competencies based upon NFPA 1041. All applicants for certification must meet the examination requirements of this section.
- (b) Prior to being appointed to fire service instructor duties, all personnel must complete a commission approved fire service instructor program and successfully pass the commission examination pertaining to that curriculum.
- (c) Personnel who receive probationary or temporary appointment to fire service instructor duties must be certified by the commission within one year from the date of appointment to such position.
- (d) An out-of-state, military, or federal instructor training program may be accepted by the commission as meeting the training requirements for certification as a fire service instructor if the training has been submitted to the commission for evaluation and found to be equivalent to or to exceed the commission approved instructor course for that particular level of fire service instructor certification.
- (e) An individual who holds a bachelor's degree or higher in education from a regionally accredited educational institution or a teaching certificate issued by the State Board for Educator Certification or an associate's degree with twelve semester hours of education instructional courses is considered to have training equivalent to the commission's curriculum requirements for Instructor I, II and III training.
- (f) Personnel holding any level of fire service instructor certification must comply with the continuing education requirements specified in §441.21 of this title (relating to Continuing Education for Fire Service Instructor).

§425.3 Minimum Standards for Fire Service Instructor I Certification.

In order to ~~be~~ ~~[become]~~ certified as a Fire Service Instructor I an individual must:

- (1) have a minimum of three years of experience **as defined in §421.5 of this title (relating to Definitions)** ~~[(as defined in §421.5(47) of this title (relating to Definitions))]~~ in fire protection in one or more or any combination of the following:
 - (A) a paid, volunteer, or regulated non-governmental fire department; or
 - (B) a department of a state agency, education institution or political subdivision providing fire protection training and related responsibilities; and
- (2) possess valid documentation as a Fire Instructor I, II or III from either:
 - (A) the International Fire Service Accreditation Congress (IFSAC); or
 - (B) the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2007 or later edition of the NFPA standard applicable to this discipline and meeting the requirements as specified in §439.1~~[(a)(2)]~~ of this title (relating to Requirements—General); or

- (3) have completed the appropriate curriculum for Fire Service Instructor I contained in Chapter 8 of the commission's Certification Curriculum Manual, or meet the equivalence as specified in §425.1(d) or (e) of this title (relating to Minimum Standards for Fire Service Instructor Certification); and
- (4) successfully pass the applicable commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification).

§425.5 Minimum Standards for Fire Service Instructor II Certification.

In order to ~~be~~ ~~become~~ certified as a Fire Service Instructor II, an individual must:

- (1) hold as a prerequisite a Fire Instructor I certification as defined in §425.3 of this title (relating to Minimum Standards for Fire Service Instructor I Certification); and
- (2) have a minimum of three years of experience **as defined in §421.5 of this title (relating to Definitions)** ~~[(as defined in §421.5(47) of this title (relating to Definitions))]~~ in fire protection in one or more or any combination of the following:
 - (A) a paid, volunteer, or regulated non-governmental fire department; or
 - (B) a department of a state agency, education institution or political subdivision providing fire protection training and related responsibilities; and
- (3) possess valid documentation as a Fire Instructor I, II or III from either:
 - (A) the International Fire Service Accreditation Congress (IFSAC); or
 - (B) the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2007 or later edition of the NFPA standard applicable to this discipline and meeting the requirements as specified in §439.1(a)(2) of this title (relating to Requirements—General); or
- (4) have completed the appropriate curriculum for Fire Service Instructor II contained in Chapter 8 of the commission's Certification Curriculum Manual, or meet the equivalence as specified in §425.1(d) or (e) of this title (relating to Minimum Standards for Fire Service Instructor Certification); and
- (5) successfully pass the applicable commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification).

§425.7 Minimum Standards for Fire Service Instructor III Certification.

In order to ~~be~~ ~~become~~ certified as a Fire Service Instructor III an individual must:

- (1) hold as a prerequisite, a Fire Instructor II Certification as defined in §425.5 of this title (relating to Minimum Standards for Fire Service Instructor II Certification); and
- (2) have a minimum of three years of experience **as defined in §421.5 of this title (relating to Definitions)** ~~[(as defined in §421.5(47) of this title (relating to Definitions))]~~ in fire protection in one or more or any combination of the following:
 - (A) a paid, volunteer, or regulated non-governmental fire department; or
 - (B) a department of a state agency, education institution or political subdivision providing fire protection training and related responsibilities; and

- (3) possess valid documentation of accreditation from the International Fire Service Accreditation Congress (IFSAC) as a Fire Instructor III; or
- (4) have completed the appropriate curriculum for Fire Service Instructor III contained in Chapter 8 of the commission's Certification Curriculum Manual, or meet the equivalence as specified in §425.1(d) or (e) of this title (relating to Minimum Standards for Fire Service Instructor Certification); and
- (5) successfully pass the applicable commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification); and either
 - (A) hold as a prerequisite an advanced structural fire protection personnel certification, an advanced aircraft fire protection personnel certification, advanced marine fire protection personnel certification, advanced inspector certification, advanced fire investigator, or advanced arson investigator certification; or
 - (B) have 60 college hours from a regionally accredited educational institution; or
 - (C) hold an associate's degree from a regionally accredited educational institution.

§425.9 Minimum Standards for Master Fire Service Instructor III Certification.

In order to ~~be~~ ~~become~~ certified as a Master Fire Service Instructor III the individual must:

- (1) hold as a prerequisite a Fire Service Instructor III certification; and
- (2) be a member of a paid, volunteer, or regulated non-governmental fire department; or a department of a state agency, education institution or political subdivision providing fire protection training and related responsibilities; and
- (3) hold as a prerequisite a master structural fire protection personnel certification, a master aircraft rescue fire fighting personnel certification, master marine fire protection personnel certification, master inspector certification, master fire investigator certification, or master arson investigator certification; or
- (4) hold a **bachelor's** ~~[bachelors]~~ degree or higher in education from a regionally accredited educational institution or a teaching certificate issued by the Texas State Board of Education.

§425.11 International Fire Service Accreditation Congress (IFSAC) Seal.

- (a) Individuals completing a commission approved Fire Service Instructor I training program and passing the applicable state examination may be granted an IFSAC seal for Instructor I by making application to the commission and paying the applicable fee.
- (b) Individuals holding an IFSAC Instructor I seal, completing a commission approved Fire Service Instructor II training program, and passing the applicable state examination may be granted an IFSAC seal for Instructor II by making application to the commission and paying the applicable fee.
- (c) Individuals holding an IFSAC Instructor II seal, completing a commission approved Fire Service Instructor III training program, and passing the applicable state examination may be granted an IFSAC seal for Instructor III by making application to the commission and paying the applicable fee.
- (d) In order to qualify for an IFSAC seal, an individual must submit the application for the seal prior to the expiration of the examination.

- 11. Matters referred from the Fire Fighter Advisory Committee (FFAC), including but not limited to:**
 - B. Discussion and possible action on proposed amendments, new sections, and repeals as follows:**
 - 2. Discussion and possible action regarding proposed amendments to title 37 TAC, Chapter 431, Fire Investigation.**



Texas Commission on Fire Protection

Agenda Item Summary

MEETING: Commission

DATE: 04/27/2017

Agenda Item #: 11B - #2

Agenda Title: Proposed rule change

Action to be taken: Discussion with possible action for publication

Origin of Item: FF Advisory Committee

1. INTRODUCTION/PURPOSE

The changes clarify the requirements for a person to obtain an Arson Investigator or Fire Investigator certification.

2. DESCRIPTION/ JUSTIFICATION

Current language requires a person to make application to the commission in order to print an "equivalent" Arson or Fire Investigator certification. The equivalent certification could be issued electronically, but could not be printed until the person had applied and paid the fee. The new language requires the person to apply and pay the fee in order to be issued the certification. This change is necessary because of the function of the soon to be instituted online certification system.

3. BUDGET IMPACT

No impact anticipated

4. TIMELINE CONSIDERATIONS

For possible publication to Texas Register

5. RECOMMENDATION

Recommend publication

6. REFERENCES

37 TAC, Chapter 431, Fire Investigation

CHAPTER 431

FIRE INVESTIGATION

SUBCHAPTER A

MINIMUM STANDARDS FOR ARSON INVESTIGATOR CERTIFICATION

§431.1 Minimum Standards for Arson Investigation Personnel.

- (a) Fire protection personnel who are appointed arson investigation duties must be certified, as a minimum, as a basic arson investigator as specified in §431.3 of this title (relating to Minimum Standards for Basic Arson Investigator Certification) within one year from the date of initial appointment to such position.
- (b) Prior to being appointed to arson investigation duties, fire protection personnel must complete a commission approved basic fire investigator training program, successfully pass the commission examination pertaining to that curriculum, and possess a current peace officer license from the Texas Commission on Law Enforcement or document that the individual is a federal law enforcement officer.
- (c) Personnel holding any level of arson investigation certification shall be required to comply with the continuing education requirements in §441.15 of this title (relating to Continuing Education for Arson Investigator or Fire Investigator).

§431.3 Minimum Standards for Basic Arson Investigator Certification.

In order to be certified [~~by the commission~~] as a Basic Arson Investigator an individual must:

- (1) possess a current basic peace officer's license from the Texas Commission on Law Enforcement or documentation that the individual is a federal law enforcement officer;
- (2) hold a current license as a peace officer and notify the commission on the prescribed form regarding the law enforcement agency currently holding the individual's peace officer license; and
- (3) possess valid documentation of accreditation from the International Fire Service Accreditation Congress as a Fire Investigator; or
- (4) complete a commission approved basic fire investigation training program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved fire investigation training program shall consist of one of the following:
 - (A) completion of the commission approved Fire Investigator Curriculum, as specified in Chapter 5 of the commission's Certification Curriculum Manual;
 - (B) successful completion of an out-of-state, NFA, or military training program which has been submitted to the commission for evaluation and found to meet the minimum requirements as listed in the commission approved Fire Investigator Curriculum as specified in Chapter 5 of the commission's Certification Curriculum Manual; or
 - (C) successful completion of the following college courses: Fire and Arson Investigation I or II, 3 semester hours; Hazardous Materials I, II, or III, 3 semester hours; Building Construction in the Fire Service or Building Codes and Construction, 3 semester hours; Fire Protection Systems, 3 semester hours. Total semester hours, 12.

§431.5 Minimum Standards for Intermediate Arson Investigator Certification.

- (a) Applicants for Intermediate Arson Investigator Certification must complete the following requirements:
- (1) hold as a prerequisite a Basic Arson Investigator Certification as defined in §431.3 of this title (relating to Minimum Standards for Basic Arson Investigator Certification); and
 - (2) acquire a minimum of four years of fire protection experience and complete the requirements listed in one of the following options:
 - (A) Option 1--Successfully complete six semester hours of fire science or fire technology from an approved Fire Protection Degree Program and submit documentation as required by the commission that the courses comply with subsections (b) and (c) of this section; or
 - (B) Option 2--Completion of coursework from either the A-List or the B-List courses. Acceptable combinations of courses are as follows: two A-List courses; or eight B-List courses; or one A-List course and four B-List courses (See the exception outlined in subsection (c) of this section); or
 - (C) Option 3--Completion of coursework from either the A-List or the B-List courses in combination with college courses in fire science or fire protection. Acceptable combinations of courses are three semester hours meeting the requirements of Option 1 with either one A-List course or four B-List courses (See the exception outlined in subsection (c) of this section); or
 - (D) Option 4--Hold current Intermediate Peace Officer certification from the Texas Commission on Law Enforcement with four additional law enforcement courses applicable for fire investigations (See exception outlined in subsection (c) of this section).
- (b) Non-traditional credit awarded at the college level, such as credit for experience or credit by examination obtained from attending any school in the commission's Certification Curriculum Manual or for experience in the fire service, may not be counted toward this level of certification.
- (c) The training required in this section must be in addition to any training used to qualify for any lower level of Arson Investigator Certification. Repeating a course or a course of similar content cannot be used towards this level of certification.

§431.7 Minimum Standards for Advanced Arson Investigator Certification.

- (a) Applicants for Advanced Arson Investigator certification must complete the following requirements:
- (1) hold as a prerequisite an Intermediate Arson Investigator Certification as defined in §431.5 of this title (relating to Minimum Standards for Intermediate Arson Investigator Certification); and
 - (2) acquire a minimum of eight years of fire protection experience and complete the requirements listed in one of the following options:
 - (A) Option 1--Successfully complete six semester hours of fire science or fire technology from an approved Fire Protection Degree Program and submit documentation as required by the commission that the courses comply with subsections (b) and (c) of this section; or
 - (B) Option 2--Completion of coursework from either the A-List or the B-List courses. Acceptable combinations of courses are as follows: two A-List courses; or eight B-List courses; or one A-List course and four B-List courses (See the exception outlined in subsection (c) of this section); or

- (C) Option 3--Completion of coursework from either the A-List or the B-List courses in combination with college courses in fire science or fire protection. Acceptable combinations of courses are three semester hours meeting the requirements of Option 1 with either one A-List course or four B-List courses (See the exception outlined in subsection (c) of this section); or
 - (D) Option 4--Advanced Arson for Profit or Complex Arson Investigative Techniques (Bureau of Alcohol, Tobacco, Firearms, and Explosives resident or field course, 80 hours); or
 - (E) Option 5--Hold current Advanced Peace Officer certification from the Texas Commission on Law Enforcement with four additional law enforcement courses applicable for fire investigations (See exception outlined in subsection (c) of this section).
- (b) Non-traditional credit awarded at the college level, such as credit for experience or credit by examination obtained from attending any school in the commission's Certification Curriculum Manual or for experience in the fire service, may not be counted toward this level of certification.
 - (c) The training required in this section must be in addition to any training used to qualify for any lower level of Arson Investigator Certification. Repeating a course or a course of similar content cannot be used towards this level of certification.

§431.9 Minimum Standards for Master Arson Investigator Certification.

- (a) Applicants for Master Arson Investigator Certification must complete the following requirements:
 - (1) hold as a prerequisite an Advanced Arson Investigator Certification as defined in §431.7 of this title (relating to Minimum Standards for Advanced Arson Investigator Certification); and
 - (2) acquire a minimum of twelve years of fire protection experience, and 60 college semester hours or an associate's degree, either of which includes at least 18 college semester hours in fire science or criminal justice subjects.
- (b) College level courses from both the upper and lower division may be used to satisfy the education requirement for Master Arson Investigator Certification.

§431.11 Minimum Standards for Arson Investigator Certification for Law Enforcement Personnel.

- (a) A law enforcement officer employed or commissioned by a law enforcement agency as a peace officer who is designated as an arson investigator by an appropriate local authority is eligible for certification on a voluntary basis by complying with this chapter.
- (b) An individual holding commission certification as a fire investigator who becomes a law enforcement officer employed or commissioned by a law enforcement agency as a peace officer, and who is designated as an arson investigator by an appropriate local authority will qualify for a similar level arson investigator **certification.** [certificate.] To obtain **an arson investigator certification** [a printed certificate] the individual must make application to the commission to include confirmation of commission.

§431.13 International Fire Service Accreditation Congress (IFSAC) Seal.

Individuals completing a commission approved basic fire investigator program and passing the applicable state examination may be granted an IFSAC seal as a Fire Investigator by making application to the commission for the IFSAC seal and paying applicable fees. In order to qualify for an IFSAC seal, an individual must submit the application for the seal prior to the expiration of the examination.

CHAPTER 431

FIRE INVESTIGATION

SUBCHAPTER B

MINIMUM STANDARDS FOR FIRE INVESTIGATOR CERTIFICATION

§431.201 Minimum Standards for Fire Investigation Personnel.

- (a) Fire protection personnel who receive temporary or probationary appointment to fire investigation duties must be certified as a fire investigator by the Commission within one year of appointment to such duties.
- (b) Prior to being appointed to fire investigation duties, personnel must:
 - (1) complete a commission approved basic fire investigator training program and successfully pass the commission examination pertaining to that curriculum; or
 - (2) hold current certification as structure fire protection personnel.
- (c) Individuals holding a Fire Investigator certification shall be required to comply with the continuing education requirements in §441.15 of this title (relating to Continuing Education for Arson Investigator or Fire Investigator).
- (d) Individuals certified under this subchapter shall limit their investigation to determining fire cause and origin. If evidence of a crime is discovered, custody and control of the investigation shall be immediately transferred to a certified arson investigator or licensed peace officer.
- (e) Individuals who previously held arson investigator certification, who no longer hold a current commission as a peace officer, will qualify for certification as a fire investigator of similar level upon notice to the commission. To obtain a **fire investigator certification** ~~[printed certificate]~~ the individual will be required to make application to the commission.

§431.203 Minimum Standards for Fire Investigator Certification.

- (a) In order to be certified ~~[by the Commission]~~ as a Fire Investigator an individual must complete the requirements specified in §431.3 ~~[(a)(3) or (4)]~~ of this title (relating to Minimum Standards for Basic Arson Investigator Certification).
- (b) A person who holds or is eligible to hold a certificate as a Fire Investigator may be certified as an Arson Investigator by meeting the requirements of Chapter 431, Subchapter A, but shall not be required to repeat the applicable examination requirements.

§431.205 Minimum Standards for Intermediate Fire Investigator Certification.

- (a) Applicants for Intermediate Fire Investigator must complete the following requirements:
 - (1) hold as a prerequisite a Basic Fire Investigator Certification as defined in §431.203 of this title (relating to Minimum Standards for Fire Investigator Certification); and
 - (2) acquire a minimum of four years of fire protection experience and complete the training listed in one of the following options:

- (A) Option 1--Successfully complete six semester hours of fire science or fire technology from an approved Fire Protection Degree Program and submit documentation as required by the commission that the courses comply with subsections (b) and (c) of this section; or
 - (B) Option 2--Completion of coursework from either the A-List or the B-List courses. Acceptable combinations of courses are as follows: two A-List courses; or eight B-List courses; or one A-List and four B-List courses. (See the exception outlined in subsection (c) of this section); or
 - (C) Option 3--Completion of coursework from either the A-List or the B-List courses in combination with college courses in fire science or fire protection. Acceptable combinations of courses are three semester hours meeting the requirements of Option 1 with either one A-List course or four B-List courses. (See the exception outlined in subsection (c) of this section).
- (b) Non-traditional credit awarded at the college level, such as credit for experience or credit by examination obtained from attending any school in the commission's Certification Curriculum Manual or for experience in the fire service, may not be counted toward this level of certification.
 - (c) The training required in this section must be in addition to any training used to qualify for any lower level of Fire Investigator Certification. Repeating a course or a course of similar content cannot be used towards this level of certification.

§431.207 Minimum Standards for Advanced Fire Investigator Certification.

- (a) Applicants for Advanced Fire Investigator must complete the following requirements
 - (1) hold as a prerequisite an Intermediate **Fire**[fire] Investigator Certification as defined in §431.203 of this title (relating to Minimum Standards for Fire Investigator Certification); and
 - (2) acquire a minimum of eight years of fire protection experience and complete the training listed in one of the following options:
 - (A) Option 1--Successfully complete six semester hours of fire science or fire technology from an approved Fire Protection Degree Program and submit documentation as required by the commission that the courses comply with subsections (b) and (c) of this section; or
 - (B) Option 2--Completion of coursework from the either A-List or the B-List courses. Acceptable combinations of courses are as follows: two A-List courses; or eight B-List courses; or one A-List and four B-List courses. (See the exception outlined in subsection (c) of this section); or
 - (C) Option 3--Completion of coursework from either the A-List the B-List courses in combination with college courses in fire science or fire protection. Acceptable combinations of courses are three semester hours meeting the requirements of Option 1 with either one A-List course or four B-List courses. (See the exception outlined in subsection (c) of this section).
- (b) Non-traditional credit awarded at the college level, such as credit for experience or credit by examination obtained from attending any school in the commission's Certification Curriculum Manual or for experience in the fire service, may not be counted toward this level of certification.
- (c) The training required in this section must be in addition to any training used to qualify for any lower level of Fire Investigator Certification. Repeating a course or a course of similar content cannot be used towards this level of certification.

§431.209 Minimum Standards for Master Fire Investigator Certification.

(a) Applicants for Master Fire Investigator Certification must complete the following requirements:

- (1) hold as a prerequisite an Advanced Fire Investigator Certification as defined in §431.207 of this title (relating to Minimum Standards for Advanced Fire Investigator Certification); and
- (2) acquire a minimum of twelve years of fire protection experience; and
- (3) sixty college semester hours or an associate degree, that must include at least eighteen college semester hours in fire science or criminal justice subjects.

(b) College level courses from both the upper and lower division may be used to satisfy the education requirement for Master Fire Investigator Certification.

§431.211 International Fire Service Accreditation Congress (IFSAC) Seal--Fire Investigator.

Individuals completing a commission approved basic fire investigator program and passing the applicable state examination may be granted an IFSAC seal as a Fire Investigator by making application to the commission for the IFSAC seal and paying applicable fees. In order to qualify for an IFSAC seal, an individual must submit the application for the seal prior to the expiration of the examination.

- 11. Matters referred from the Fire Fighter Advisory Committee (FFAC), including but not limited to:**
 - B. Discussion and possible action on proposed amendments, new sections, and repeals as follows:**
 - 3. Discussion and possible action regarding proposed amendments to title 37 TAC, Chapter 443, Curriculum Manual.**



Texas Commission on Fire Protection

Agenda Item Summary

MEETING: Commission

DATE: 04/27/2017

Agenda Item #: 11B - #3

Agenda Title: Proposed rule change

Action to be taken: Discussion with possible action for publication

Origin of Item: FF Advisory Committee

1. INTRODUCTION/PURPOSE

The changes reflect new procedures for curricula development.

2. DESCRIPTION/ JUSTIFICATION

The proposed changes update and clarify the language regarding development of curricula and training programs. The intent of the changes is to reflect the fact that the commission no longer develops curricula for voluntary certifications.

3. BUDGET IMPACT

No impact anticipated

4. TIMELINE CONSIDERATIONS

For possible publication to Texas Register

5. RECOMMENDATION

Recommend publication

6. REFERENCES

37 TAC, Chapter 443, Curriculum Manual

CHAPTER 443

CERTIFICATION CURRICULUM MANUAL

§443.1 [~~Curriculum~~] Approval by the Fire Fighter Advisory Committee.

- (a) All **proposals for new or revised curricula and training programs** [~~curricula or changes to curricula for fire protection personnel~~] must be submitted to the Fire Fighter Advisory Committee for approval.
- (b) The Fire Fighter Advisory Committee may:
- (1) submit **proposals** [~~new curricula or changes to curricula~~] to a subcommittee formed of members of the Fire Fighter Advisory Committee for study and review before approval; or
 - (2) submit **proposals** [~~new curricula or changes to curricula~~] to an advisory committee formed of members of the fire service who are recommended by the Fire Fighter Advisory Committee and appointed by the Commission to report to the Fire Fighter Advisory Committee, for study and review before approval.
- (c) All **proposals** [~~new curricula or changes to curricula~~] approved by the Fire Fighter Advisory Committee shall be placed on the next scheduled meeting agenda of the Texas Commission on Fire Protection.

§443.3 [~~Curriculum~~] Approval by the Texas Commission on Fire Protection.

- (a) All **proposals for new or revised curricula and training programs** [~~curricula or changes to curricula~~] approved by the Fire Fighter Advisory Committee must receive final approval by the Texas Commission on Fire Protection.
- (b) **Proposals** [~~Curricula~~] not approved by the Commission shall be sent back to the Committee for further development. The Commission shall indicate to the Committee the reasons that the **proposals were** [~~curriculum was~~] not approved.

§443.5 Effective Date of New or Revised [~~Curricula or Changes to~~] Curricula and Training Programs Required by Law or Rule.

- (a) New curricula **and training programs** will become effective on January 1 of the year following final approval by the commission or on the date specified by the commission.
- (b) Changes to curricula **and training programs** will become effective on January 1 of the year following final approval by the commission or on the date specified by the commission.
- (c) Changes to curricula **and training programs** which involve reference materials will become effective on January 1 of the year following final approval by the commission or on the date specified by the commission, as recommended by the Fire Fighter Advisory Committee, depending on the impact the change will have on the curricula **or training programs**.
- (d) Changes to curricula **and training programs** that involve a safety consideration as determined by the Fire Fighter Advisory Committee shall become effective immediately following final approval by the commission.

§443.7 Effective Date of New or Revised Curricula or Changes or Revisions to Existing Curricula and Training Programs Which Are Voluntary.

- (a) New curricula **and training programs** will become effective on the date recommended by the Fire Fighter Advisory Committee and specified by the Commission.
- (b) Changes to curricula **and training programs** will become effective on the date recommended by the Fire Fighter Advisory Committee and specified by the Commission.
- (c) Changes to curricula **and training programs** that involve a safety consideration as determined by the Fire Fighter Advisory Committee shall become effective immediately following final approval by the Commission.

§443.9 National Fire Protection Association Standard.

- (a) All curricula **and training programs** ~~[for fire protection personnel]~~ must, as a minimum, meet the standards, to include manipulative skills objectives and knowledge objectives, of the current NFPA standard pertaining to the discipline, if such a standard **exists** ~~[exist]~~ and subject to subsection (c) of this section.
- (b) New curricula **and training programs** presented to the Fire Fighter Advisory Committee must, as a minimum, meet the standards of the current edition of the applicable NFPA standard for the discipline, if such a standard **exists**. ~~[exist.]~~
- (c) If a NFPA standard is adopted or an existing NFPA standard is revised, all curricula **and training programs** ~~[for fire protection personnel]~~ must meet the standards of the new or revised applicable NFPA standard within three years of the official adoption date of the applicable NFPA standard.

- 11. Matters referred from the Fire Fighter Advisory Committee (FFAC), including but not limited to:**
 - B. Discussion and possible action on proposed amendments, new sections, and repeals as follows:**
 - 4. Discussion and possible action regarding proposed amendments to title 37 TAC, Chapter 453, Hazardous Materials.**



Texas Commission on Fire Protection

Agenda Item Summary

MEETING: Commission

DATE: 04/27/2017

Agenda Item #: 11B - #4

Agenda Title: Proposed rule change

Action to be taken: Discussion with possible action for publication

Origin of Item: FF Advisory Committee

1. INTRODUCTION/PURPOSE

The changes remove obsolete language, reflect new procedures for curricula development and make other minor revisions.

2. DESCRIPTION/ JUSTIFICATION

The proposed changes add the standard language being used that reflects the fact that the commission does not develop curricula for voluntary certifications. The changes also remove a special provision that expired, removes redundant language, and makes other minor changes recommended for update and clarification.

3. BUDGET IMPACT

No impact anticipated

4. TIMELINE CONSIDERATIONS

For possible publication to Texas Register

5. RECOMMENDATION

Recommend publication

6. REFERENCES

37 TAC, Chapter 453, Hazardous Materials

CHAPTER 453

HAZARDOUS MATERIALS

SUBCHAPTER A

MINIMUM STANDARDS FOR HAZARDOUS MATERIALS TECHNICIAN

§453.1 Hazardous Materials Technician Certification.

- (a) A Hazardous Materials Technician is defined as an individual who performs emergency response to an occurrence which results in, or is likely to result in, an uncontrolled release of a hazardous substance where there is a potential safety or health hazard (i.e., fire, explosion, or chemical exposure). A Hazardous Materials Technician responds to such occurrences and is expected to perform work to handle and control (stop, confine, or extinguish) actual or potential leaks or spills. The Hazardous Materials Technician assumes a more aggressive role than a first responder at the operations level, in that the Hazardous Materials Technician will approach the point of release. The Hazardous Materials Technician is expected to use specialized Chemical Protective Clothing (CPC) and specialized control equipment.
- (b) All individuals holding a Hazardous Materials Technician Certification shall be required to comply with the continuing education requirements in §441.17 of this title (relating to Continuing Education for Hazardous Materials Technician).

§453.3 Minimum Standards for Hazardous Materials Technician Certification.

~~[(a)]~~ In order to be certified as a Hazardous Materials Technician an individual must:

- (1) hold certification as Structural Fire Protection Personnel, Aircraft Rescue Fire Fighting Personnel, or Marine Fire Protection Personnel; and
- (2) possess valid documentation as a Hazardous Materials Technician from either:
 - (A) the International Fire Service Accreditation Congress; or
 - (B) the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2008 or later edition of the NFPA standard applicable to this discipline and meeting the requirements as specified in §439.1~~[(a)(2)]~~ of this title (relating to Requirements—General); or
- (3) complete a commission approved Hazardous Materials Technician **training** program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved Hazardous Materials Technician program must consist of one of the following:
 - (A) completion of **an in-state** ~~[a commission approved]~~ Hazardous Materials Technician **training program that meets the requirements of the applicable NFPA standard, is conducted by a commission certified training provider and approved through the commission's training prior approval system; or** ~~[Curriculum as specified in Chapter 6 of the commission's Certification Curriculum Manual; or]~~

(B) completion of an out-of-state and/or military training program that has been submitted to the commission for evaluation and found to **meet or exceed** ~~[be equivalent to, or exceeds]~~ the **NFPA standard for** ~~[commission approved]~~ Hazardous Materials Technician ~~[Curriculum]~~.

~~[(b) Out-of-state or military training programs which are submitted to the commission for the purpose of determining equivalency will be considered equivalent if all competencies set forth in Chapter 6 (pertaining to Hazardous Materials Technician) of the commission's Certification Curriculum Manual are met.]~~

§453.5 Examination Requirements.

- (a) Examination requirements of Chapter 439 of this title (relating to Examinations for Certification) must be met in order to receive a Hazardous Materials Technician Certification.
- (b) Individuals will be permitted to take the commission examination for Hazardous Materials Technician by documenting completion of the NFPA 472 Awareness and Operations level training and completing a commission approved Hazardous Materials Technician **training program**.~~[curriculum.]~~

§453.7 International Fire Service Accreditation Congress (IFSAC) Seal.

Individuals completing a commission approved Hazardous Materials Technician **training** program, documenting an IFSAC seal for Hazardous Materials Awareness Level Personnel; and

- (1) Hazardous Materials Operations Level Responders, including the Mission-Specific Competencies for Personal Protective Equipment and Product Control under the current edition; or
- (2) NFPA 472 Hazardous Materials Operations prior to the 2008 edition; and
- (3) upon passing the applicable state examination, may be granted an IFSAC seal as a Hazardous Materials Technician by making application to the commission for the IFSAC seal and paying applicable fees. In order to qualify for an IFSAC seal, an individual must submit the application for the seal prior to the expiration of the examination.

CHAPTER 453

HAZARDOUS MATERIALS

SUBCHAPTER B

MINIMUM STANDARDS FOR HAZARDOUS MATERIALS INCIDENT COMMANDER

§453.201 Hazardous Materials Incident Commander Certification.

The Hazardous Materials Incident Commander is defined as that person responsible for all incident activities, including the development of strategies and tactics and the ordering and release of resources.

§453.203 Minimum Standards for Hazardous Materials Incident Commander.

~~[(a)]~~ In order to be certified as Hazardous Materials Incident Commander an individual must:

- (1) hold certification as Structural Fire Protection Personnel, Aircraft Rescue Fire Fighting Personnel, or Marine Fire Protection Personnel; and
- (2) possess valid documentation as a Hazardous Materials Incident Commander from either:
 - (A) the International Fire Service Accreditation Congress; or
 - (B) the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2008 or later edition of the NFPA standard applicable to this discipline and meeting the requirements as specified in §439.1~~[(a)(2)]~~ of this title (relating to Requirements—General); or
- (3) complete a commission approved Hazardous Materials Incident Commander **training** program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved Hazardous Materials Incident Commander program must consist of one of the following:
 - (A) completion of **an in-state** ~~[a commission approved]~~ Hazardous Materials Incident Commander **training program that meets the requirements of the applicable NFPA standard, is conducted by a commission certified training provider and approved through the commission's training prior approval system; or** ~~[curriculum as specified in Chapter 6 of the commission's Certification Curriculum Manual; or]~~
 - (B) completion of an out-of-state and/or military training program that has been submitted to the commission for evaluation and found to **meet or exceed** ~~[be equivalent to, or exceeds]~~ the **NFPA standard for** ~~[commission approved]~~ Hazardous Materials Incident Commander ~~[curriculum]~~.
- ~~[(4) Special temporary provision: Through February 2015, an individual is eligible for Hazardous Materials Incident Commander certification upon documentation of the National Board on Fire Service Professional Qualifications issued by the Texas A&M Engineering Extension Service using the 2008 edition of the NFPA standard applicable to this discipline.]~~
- ~~[(b) Out-of-state or military training programs which are submitted to the commission for the purpose of determining equivalency will be considered equivalent if all competencies set forth in Chapter 6 (pertaining to Hazardous Materials Incident Commander) of the commission's Certification Curriculum Manual are met.]~~

§453.205 Examination Requirements.

- (a) Examination requirements of Chapter 439 of this title (relating to Examinations for Certification) must be met in order to receive a Hazardous Materials Incident Commander certification.
- (b) Individuals will be permitted to take the commission examination for Hazardous Materials Incident Commander by documenting completion of NFPA 472 Awareness and Operations level training and completing a commission approved Hazardous Materials Incident Commander **training** program.

11. Matters referred from the Fire Fighter Advisory Committee (FFAC), including but not limited to:

B. Discussion and possible action on proposed amendments, new sections, and repeals as follows:

- 5. Discussion and possible action regarding proposed amendments to title 37 TAC, Chapter 455, Minimum Standards for Wildland Fire Protection Certification.**



Texas Commission on Fire Protection

Agenda Item Summary

MEETING: Commission

DATE: 04/27/2017

Agenda Item #: 11B - #5

Agenda Title: Proposed rule changes

Action to be taken: Discussion with possible action for publication

Origin of Item: FF Advisory Committee

1. INTRODUCTION/PURPOSE

The change reflects new procedures for curricula development.

2. DESCRIPTION/ JUSTIFICATION

The proposed change reflects the fact that the commission does not develop curricula for voluntary certifications.

3. BUDGET IMPACT

No impact anticipated

4. TIMELINE CONSIDERATIONS

For possible publication to Texas Register

5. RECOMMENDATION

Recommend publication

6. REFERENCES

37 TAC, Chapter 455, Minimum Standards for Wildland Fire Protection Certification

CHAPTER 455

MINIMUM STANDARDS FOR WILDLAND FIRE PROTECTION CERTIFICATION

§455.1 Minimum Standards for Wildland Fire Protection Personnel.

- (a) A wildland fire fighter is defined as an individual whose assigned function is suppression of fires in the wildland or wildland-urban interface setting.
- (b) Individuals holding Wildland Fire Protection certification shall be required to comply with the continuing education requirements in Chapter 441 of this title (relating to Continuing Education).
- (c) All Wildland Fire Protection certifications issued by the commission and referenced in this chapter are voluntary.

§455.3 Minimum Standards for Basic Wildland Fire Protection Certification.

In order to be certified as Basic Wildland Fire Protection personnel, an individual must:

- (1) possess valid documentation of accreditation from the International Fire Service Accreditation Congress as Wildland Fire Fighter Level I; or
- (2) complete a commission approved Basic Wildland Fire Protection program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved Basic Wildland Fire Protection training program shall consist of one of the following:
 - (A) completion of the commission approved Basic Wildland Fire Fighter **training program**, [~~Curriculum,~~] as specified in the applicable chapter of the commission's Certification Curriculum Manual; or
 - (B) completion of the following National Wildfire Coordinating Group (NWCG) courses:
 - (i) S-130: Firefighter Training
 - (ii) S-190: Introduction to Wildland Fire Behavior
 - (iii) L-180: Human Factors on the Fireline
 - (iv) I-100: Introduction to the Incident Command System, or an equivalent basic incident command system course such as NIMS IS-100

§455.5 Minimum Standards for Intermediate Wildland Fire Protection Certification.

In order to be certified as Intermediate Wildland Fire Protection personnel, an individual must:

- (1) hold Basic Wildland Fire Protection certification issued by the commission; and
- (2) complete the associated position task book as adopted by the National Wildfire Coordinating Group (NWCG) 310-1. Proof of completion of the position task book must be from the Texas Intrastate Fire Mutual Aid System (TIFMAS) (e.g. task book approval form or TIFMAS card); and
- (3) individual who hold Structure Fire Protection certification issued by the commission must complete a commission approved Intermediate Wildland Fire Protection program and successfully pass the commission examination as specified in Chapter 439 of this title (relating to Examinations for Certification). An approved Intermediate Wildland Fire Protection training program shall consist of one of the following:

- (A) completion of the commission approved Intermediate Wildland Fire Fighter Curriculum, as specified in the applicable chapter of the commission's Certification Curriculum Manual; or
 - (B) completion of the NWCG course G-131: Wildland Training (FFT1) for Structural Fire Fighters;
or
 - (C) completion of the NWCG courses S-131 and S-133; or
- (4) individuals who hold a State Firemen's and Fire Marshals' Association Advanced Accredited certification issued prior to January 1, 2012, or a State Firemen's and Fire Marshals' Association Firefighter II certification issued on or after January 1, 2012, must complete a commission approved Intermediate Wildland Fire Protection program and successfully pass the commission examination which includes both Basic Structure Fire Protection and Intermediate Wildland Fire Protection, as specified in Chapter 439 of this title. An approved Intermediate Wildland Fire Protection training program shall consist of one of the following:
- (A) completion of the commission approved Intermediate Wildland Fire Fighter Curriculum, as specified in the applicable chapter of the commission's Certification Curriculum Manual; or
 - (B) completion of the NWCG course G-131: Wildland Training (FFT1) for Structural Fire Fighters;
or
 - (C) completion of the NWCG courses S-131 and S-133.

§455.7 Examination Requirements.

- (a) Examination requirements of Chapter 439 of this title (relating to Examinations for Certification) must be met in order to receive Wildland Fire Protection Certification.
- (b) Persons seeking a commission certification referenced in this chapter who do not currently hold a certification issued by the commission must meet all requirements regarding application for initial certification.

- 11. Matters referred from the Fire Fighter Advisory Committee (FFAC), including but not limited to:**
 - C. Report from the Curriculum and Testing Committee with discussion and possible action on recommendations regarding possible changes to the Certification Curriculum Manual, including but not limited to:**
 - a. Basic Wildland overview, course instructor information, outline and reference list.**
 - b. Basic Fire Inspector Curriculum reference list.**
 - c. Hazmat Incident Commander reference list.**

OVERVIEW

BASIC WILDLAND FIRE FIGHTER

The Basic Wildland Fire Fighter is required to meet the Job Performance Requirements (JPRs) of chapter 4 of National Fire Protection Association (NFPA) 1051, *Standard for Wildland Firefighting Personnel Professional Qualifications*, 2016 edition.

The following items are included in the Basic Wildland Fire Fighter section of Chapter 11 of the curriculum manual:

- Course Instructor Information
- Reference List (textbooks and other recommended course materials)
- Course Outline (establishes the recommended hours for teaching this course)

This is a voluntary (non-mandatory) certification, therefore a formal “curriculum” is not provided. Please use chapter 4 of NFPA 1051 as a guide when creating your own course curriculum.

Performance skills are available in Chapter 11 of the Skills Manual.

All documents in this curriculum manual, and in the skills manual, are available free of charge to download, copy and distribute as necessary. The TCFP does not provide printed copies.

Definition of a Basic Wildland Fire Fighter

A Basic Wildland Fire Fighter is an individual who has met the requirements of NFPA 1051, *Standard for Wildland Firefighting Personnel Professional Qualifications* and has the knowledge, skills, and abilities to conduct wildland fire fighting operations by having and maintaining a knowledge of:

- Fireline safety
- Use of personal protective equipment
- Use of hand tools
- Principles of fireline construction
- Recognizing hazards and unsafe conditions

COURSE INSTRUCTOR INFORMATION

Instructor Qualifications

Basic Wildland Fire Fighter courses must be taught by a person meeting the requirements described in Chapter 427§307 of the TCFP Standards Manual.

Supplemental Information

Instructors are expected to provide supplemental information if the main reference text does not cover all of the knowledge requirements set forth in the NFPA standard.

Certification Testing

Testing for certification in the state of Texas will be based on the knowledge and skills requirements in chapter 4 of National Fire Protection Association (NFPA) 1051, *Standard for Wildland Firefighting Personnel Professional Qualifications*, 2016 edition. All training programs must strictly adhere to the NFPA standard.

All test questions and performance skills evaluations will be based on the NFPA Job Performance Requirements (JPRs), requisite knowledge objectives, and requisite skills objectives found in the NFPA standard. Additionally, questions and performance skill evaluations may include information found in, or derived from, the NFPA standard annex, particularly Annex A which includes explanatory material that may further clarify JPRs. The following is an example from NFPA 1051, section 4.5.2:

NFPA Standard/Curriculum	Explanation
4.5.2 Assemble and prepare for response, given an assembly location, an assignment, incident location, mode of transportation, and the time requirements, so that arrival at the incident with the required personnel and equipment meets agency guidelines.	NFPA JPR number 4.5.2
(A)* Requisite Knowledge: Equipment requirements, agency time standards and special transportation considerations (weight limitations), agency safety, and operational procedures for various transportation modes.	Requisite knowledge objectives for 4.5.2 Written test questions and/or performance skills will be used to test these knowledge components on the state certification exam.
(B) Requisite Skills: None specified.	Requisite skills objectives for 4.5.2

	Only performance skills will be used to test these objectives on the state certification exam. In this example, there are no skills specified, so there will be no skills tested.
A.4.5.2(A): Personal equipment standards, response and travel time standards, personal equipment weight limitations, and preferred modes of transportation all can vary by the AHJ.	Appendix A: Explanatory Material for 4.5.2(A)

TCFP Standards Manual

It is critical that the Course Instructor review the chapters in the TCFP Standards Manual that apply to this curriculum. Of primary importance are the following chapters:

Chapter 421, *Standards for Certification*

Chapter 427, *Training Facility Certification*

Chapter 435, *Fire Fighter Safety*

Chapter 437, *Fees*

Chapter 455, *Standards for Wildland Fire Protection Certification*

These chapters do not address every issue that could impact this curriculum; therefore, the Course Instructor is encouraged to become familiar with the TCFP Standards Manual.

Descriptions of Certification Levels

For additional information, see Chapter 421 of the Texas Commission on Fire Protection Standards Manual for Fire Protection Personnel.

CHAPTER ELEVEN
BASIC WILDLAND FIRE FIGHTER
CURRICULUM OUTLINE

SECTION	SUBJECT	RECOMMENDED HOURS
Basic Wildland Fire Fighter		
1101-5.1 4.1	General	5 4
1101-5.2 4.2	Human Resource Management	0
1101-5.3 4.3	Preparedness	5 4
1101-5.4 4.4	Mobilization	0
1101-5.5 4.5	Suppression	30 24
1101	Performance Skills	8
TOTAL RECOMMENDED HOURS		40

*The **total** recommend hours ~~total~~ is based on a class of 12 students. Actual hours required will depend on the number of students, the number of examiners, availability of equipment, and the student skill level.

REFERENCE LIST FOR THE BASIC WILDLAND FIRE FIGHTER CURRICULUM

Certified Training Facilities approved to teach this curriculum must have the following reference materials:

Firefighter Training S-130, Instructor Guide (2003). Boise, ID: National Wildfire Coordinating Group. National Interagency Fire Center.

Firefighter Training S-130, Student Work Book (2003). Boise, ID: National Wildfire Coordinating Group. National Interagency Fire Center.

*Incident Response Pocket Guide (IRPG), **PMS 461*** (~~2010~~ **2014**). Boise, ID: National Wildfire Coordinating Group. National Interagency Fire Center.

Introduction to Wildland Fire Behavior S-190, Instructor Guide (March, 2006). Boise, ID: National Wildfire Coordinating Group. National Interagency Fire Center.

Introduction to Wildland Fire Behavior S-190, Student Work Book (March, 2006). Boise, ID: National Wildfire Coordinating Group. National Interagency Fire Center.

New Generation Fire Shelter (2003). [DVD] Boise, ID: National Wildfire Coordinating Group. National Interagency Fire Center.

As of ~~5/8/2013~~ **8/22/2016**, there is a free version of this DVD available for viewing at the following web address: <http://www.youtube.com/watch?v=QJsY6foLh8o&list=SP3D911BCBF3DDF303>

*NFPA 1051: Standard for Wildland Fire-Fighter **Firefighting Personnel** Professional Qualifications* (~~2012~~ **2016** Ed.). Quincy, MA: National Fire Protection Association. NFPA Publications

Standards Manual for Fire Protection Personnel. Austin, TX: Texas Commission on Fire Protection.

Wildland Fire Incident Management Field Guide, PMS 210 (2014). Boise, ID: National Wildfire Coordinating Group. National Interagency Fire Center.

As of ~~8/1/2015~~ **8/22/2016**, this guide is only available electronically and is posted at the following web address: <http://www.nwccg.gov/pms/pubs/catalog.htm>.
www.nwccg.gov/sites/default/files/products/pms210.pdf It is available free of charge for downloading and printing.

REFERENCE LIST FOR THE BASIC FIRE INSPECTOR CURRICULUM

Certified Training Facilities approved to teach this curriculum must have the following reference materials:

Emergency Response Guidebook, (2016 edition). U.S. Department of Transportation

Fire Inspection and Code Enforcement (7th ~~8~~th ed.) (~~2009~~ **2016**). Stillwater, OK: Fire Protection Publications. International Fire Service Training Association.

Hazardous Materials for First Responders (4th Ed.) (2010). Stillwater, OK: Fire Protection Publications. International Fire Service Training Association.

Local Codes and Standards.

NFPA 1031: Standard for Professional Qualifications for Fire Inspector and Plan Examiner (2014 ed.). Quincy, MA: National Fire Protection Association. NFPA Publications.

NFPA 472: Standard for Competence of Responders to Hazardous Materials/Weapons of Mass Destruction Incidents (2013 ed.). Quincy, MA: National Fire Protection Association. NFPA Publications.

Plans Examiner for Fire and Emergency Services (4st ~~2~~nd ed.) (~~2005~~ **2016**). Stillwater, OK: Fire Protection Publications. International Fire Service Training Association.

Standards Manual for Fire Protection Personnel. Austin, TX: Texas Commission on Fire Protection.

REFERENCE LIST FOR THE HAZARDOUS MATERIALS INCIDENT COMMANDER CURRICULUM

This Reference List is provided as a general guide for both instructors and students to locate information pertaining to the specific objectives in the TCFP Curriculum. This list is **not** all-inclusive and does not in any way limit TCFP development and use of questions to test the objectives of the curriculum:

Required References

Texts

Certification Curriculum Manual. Texas Commission on Fire Protection. (Most current edition). Austin, TX: Texas Commission on Fire Protection.

Code of Federal Regulations, Title 29 Part 1910.120, Appendix A. United States. U.S. Department of Labor, Occupational Safety & Health Administration.
http://edocket.access.gpo.gov/cfr_2007/julqtr/pdf/29cfr1910.120.pdf

Emergency Response Guidebook. United States. (Most current edition). Washington, DC: U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration.

Fire Fighter's Handbook of Hazardous Materials, Baker, Charles T., 7th edition. (2006). Sudbury, MA: Jones and Bartlett.

Hazardous Materials Awareness and Operations, 2nd edition. Schnepf, Rob (2016). Sudbury, MA: Jones & Bartlett.

Hazardous Materials for First Responders, 4th edition (2010). Stillwater, OK: Fire Protection Publications, Oklahoma State University.

Hazardous Materials: Managing the Incident. Chester Noll, G. G., Hildebrand, M. S., & Yvorra, J. G. (2005). MD: Red Hat Publishing Company, Inc.

Hazardous Materials/Weapons of Mass Destruction Response Handbook, 5th edition. Trebisacci, D. G. (2008). Quincy, MA: National Fire Protection Association.

NFPA 472: Standard for Professional Competence of Responders to Hazardous Materials Incidents. (2008 ed.). Quincy, MA: NFPA Publications. National Fire Protection Association

NIOSH Pocket Guide to Chemical Hazards. Cincinnati National Institute for Occupational Safety and Health. (Most current edition). OH: US Department of Health and Human Services, Public Health Service, Centers for Disease Control and Prevention, National Institute for Occupational Safety and Health. <http://www.cdc.gov/niosh/npg/>

Standards Manual for Fire Protection Personnel. Texas Commission on Fire Protection. (Most current edition). Austin, TX: Texas Commission on Fire Protection.

Recommended References

The most current edition of the following publications and media are recommended (not required) supplemental material for program use.

Texts

Bretherick's Handbook of Reactive Chemical Hazards. Urben, P. G., Pitt, M. J., & Bretherick, L. (2007). Amsterdam: Elsevier.

Chlorine Emergencies: An Overview for First Responders. Chlorine Institute. (2007). Arlington, VA: The Chlorine Institute.

CHRIS: Chemical Hazards Response Information System. United States. (1992). COMDTINST, M16465.11B. Washington, DC: U.S. Dept. of Transportation, U.S. Coast Guard.

Dangerous Properties of Industrial and Consumer Chemicals. Cheremisinoff, N. P., King, J. A., & Boyko, R. (1994). New York, NY: M. Dekker.

Emergency Care for Hazardous Materials Exposure. Currance, P., Bronstein, A. C., & Clements, B. (2005). St. Louis, MO: Mosby.

Emergency Handling of Hazardous Materials in Surface Transportation. Association of American Railroads. (2009). Washington, DC: Association of American Railroads.

Fire Protection Guide to Hazardous Materials. National Fire Protection Association. (2001). Quincy, MA: National Fire Protection Association.

Hazardous Materials: Managing the Incident: Field Operations Guide. Chester Bevelacqua, A. S., Hildebrand, M. S., & Noll, G. G. (2007). MD: Red Hat Publishing, Inc.

Hawley's Condensed Chemical Dictionary. Lewis, R. J., & Hawley, G. G. (2007). West Sussex, England: Wiley.

Symbol Seeker: Hazard Identification Manual. Burns, P. P. (2002). Preston, England: Symbol Seeker.

Media

Hazardous Materials Containment Series. Action Training Systems. [4 Disc DVD Set]. Hazardous materials containment - series of 4 titles. Seattle, WA: Action Training Systems.

Hazardous Materials: Managing the Incident DVD Series. Massingham, G., Noll, G. G., Hildebrand, M. S., & Noll, G. G. (2005). [8 Disc DVD Set]. Edgartown, MA: Emergency Film Group.

12. Discussion of the 2016 data collected on fire fighter injuries, and possible action on developing recommendations to be submitted to the commission for approval and inclusion in the annual report to be sent to the State Fire Marshal's Office.

Texas Commission on Fire Protection

Injury Report

January 1, 2016 to December 31, 2016



TEXAS COMMISSION ON FIRE PROTECTION

Table of Contents

Table of Contents.....	i
Executive Summary.....	1
Abstract	2
Mission.....	3
Why we are collecting injury data.....	3
Information the commission collects.....	3
How this will help the fire service.....	3
Reports, Information and Data Collection.....	4
Fire Protection Personnel Injuries.....	5
Table 1: Injuries by Activity and Severity, 2016.....	5
Figure 1: Total Injuries by Activity, 2016.....	5
Minor and Serious Injuries by Activity.....	6
Table 2: Minor Injury Activities, 2012 - 2016.....	6
Table 3: Serious Injury Activities, 2012 - 2016.....	6
Emergency vs. Non-Emergency Injuries.....	7
Table 4: Injuries by Emergency Activity and Severity, 2016.....	7
Table 5: Injuries by Non-Emergency Activity and Severity, 2016	7
Figure 2: Percent of Injuries in Emergency and Non-Emergency Activities, 2016	7
Injuries by Type	8
Table 6: Types of Injury, 2012-2016 (Note: ordered by 2016, descending)	8
Figure 3: Types of Injury, 2016.....	8
Task at Time of Injury.....	9
Table 7: Top 15 Tasks at Time of Injury, 2013-2016 (ordered by 2016, descending).....	9
Figure 4: Top 15 Tasks at Time of Injury, 2013-2016.....	9
Injuries by Body Part	10
Table 8: Injuries by Body Part, 2012 - 2016 (ordered by 2016, descending)	10
Injuries by Age Group	11
Table 9: Injuries by Age Group, 2012 - 2016	11
Figure 5: Injury Percentages by Age Group, 2012 - 2016.....	11
Injury Activities Resulting in Lost Time.....	12
Table 10: Injury Activities Resulting in Lost Time, Totals, 2016.....	12
Table 11: Activities Resulting in Lost Time, 2016, between 1 and 30 Days.....	12

Injury Activities Resulting in Lost Time (continued)	13
Table 12: Activities Resulting in Lost Time, 2016, between 31 and 90 Days	13
Table 13: Activities Resulting in Lost Time, 2016, 91+ Days	13
Types of Injuries with Lost Time	14
Table 14: Types of Injuries Resulting in Lost Time, 2016	14
Figure 6: Types of Injuries Resulting in Lost Time, 2016	14
Burn Injuries.....	15
Table 15: All Burns, 2013 - 2016.....	15
Table 16: Burns with Lost Time by Burn Type, 2016.....	15
Table 17: Burns by Body Part, 2013 – 2016 (ordered by 2016, descending)	15
Burn Injuries (continued).....	16
Table 18: Burns by Emergency Activity, 2016	16
Table 19: Burns by Non-Emergency Activity, 2016	16
Figure 7: Burns by Activity, 2016	16
Exposures	17
Table 20: Routes of Exposure, 2013-2016 (ordered by 2016, descending)	17
Figure 8: Exposure Routes, 2013 – 2016.....	17
Exposures (continued).....	18
Table 21: Chemical/Mineral Exposures, 2016	18
Table 22: Other Exposures, 2016.....	18
Table 23: Chemical/Mineral Exposures, Detail 1, 2016.....	18
Table 24: Chemical/Mineral Exposures, Detail 2, 2016	18
Table 25: Biological Exposures, 2016	18
Cancer reports	19
SOP Issues.....	20
Table 26: Injuries Attributed to SOP Issues, 2016.....	20
Fatalities.....	20
Close-up: wellness/fitness injuries.....	21
Table 27: Identified fitness activities resulting in injury, 2016	21
Figure 9: Identified fitness/wellness activities resulting in injuries, 2016.....	21
Close-up: skills training injuries.....	22
Table 28: Identified skills training activities resulting in injury, 2016.....	22
Figure 10: Identified skills training activities resulting in injuries, 2016.....	22
Comparison between the State of Texas (2016) and National Fire Protection Association (NFPA), U.S. Firefighter Injuries – 2015	23

Table 29: Comparison of Texas 2016 and NFPA 2015.....	23
Figure 11: Injuries by Activity Percentages – Comparing Texas 2016 and NFPA 2015	23
2016 Findings/Recommendations.....	24
Commission-adopted standards	24

Executive Summary

This report includes the abstract, mission, reports, information and data collected by the Texas Commission on Fire Protection's injury reporting program. The report includes fire fighter injuries reported to the Texas Commission on Fire Protection in 2016, with charts and graphs depicting the collected information. The report also compares Texas fire fighter injury statistics with statistics gathered by the National Fire Protection Association (NFPA) in 2015.

Under Texas Government Code §419.048, the Texas Commission on Fire Protection is charged with developing and establishing criteria to receive and analyze injury information pertaining to Texas fire fighters. The commission reviews this information to develop recommendations to help reduce fire protection personnel injuries. The commission provides this information to the State Fire Marshal's Office (SFMO) by September 1 of each year for inclusion in the SFMO's annual Firefighter Fatality Investigations Report. The commission has enacted rules about reporting injuries in the Texas Administrative Code (TAC) Title 37, Chapter 435, and has established the criteria and policies for reporting and analyzing the information.

The commission built the data systems necessary to gather this information in 2010. Development is ongoing as we receive feedback from stakeholders on the efficiency of the system. The reporting process is accomplished online. Fire departments regulated by the commission have been notified of the requirement to report. Several volunteer departments, which are not regulated by the commission, are also participating voluntarily.

This report concludes with recommendations from the commission to help reduce the number of fire fighter injuries in Texas and to improve the injury reporting program.

Abstract

Texas fire departments reported 4,001 injuries to the Texas Commission on Fire Protection in calendar year 2016. Of these, 1,019 occurred during fire suppression activities, representing 25 percent of the total reported injuries. This represents a four percent increase in the ratio of fire suppression injuries to the total, which in 2015 accounted for 21 percent of injuries. Of the 1,019 fire suppression injuries, 176, or 17 percent, were serious injuries that resulted in lost time. (Note: The commission defines a serious injury as one that results in missed work.)

As in previous years, the largest number of reported injuries occurred during the performance of emergency medical services (EMS) activities: 1,029 of the 4,001 total reported injuries, or 26 percent of the total injuries. This represents the same ratio of EMS injuries to total injuries in 2015, in which 979 of 3,721 total injuries, or 26.2 percent, occurred during EMS activities. Of the 1,029 EMS injuries, 156, or 15 percent, were serious.

After EMS and fire suppression, the next highest number of injuries reported in 2016 occurred in the performance of station duties, with 585, or 15 percent, of the total injuries. This is nearly the same result as in 2015, when 573, or 15.4 percent, of the total reported injuries occurred in the station.

Skills training and wellness/fitness again rounded out the top five activities resulting in injuries, with 449 skills training injuries (12 percent of the total) and 394 fitness/wellness injuries (10 percent).

The total number of injuries reported in station duties, skills training, and wellness/fitness activities (which are all non-emergency activities) represented just over a third (37 percent) of the total injuries. This represents a slight decrease in the ratio of non-emergency to emergency activities; in 2015, 39 percent of injuries occurred during non-emergency activities.

Mission

The commission shall gather and evaluate data on fire protection personnel injuries and develop recommendations for reducing injuries.

Why we are collecting injury data

Under Texas Government Code §419.048, the Texas Legislature charged the commission with gathering and evaluating data on injuries. The rules requiring regulated entities to report injuries to the commission are in Texas Administrative Code §435.23. The commission encourages volunteer entities to report injuries so that it can gain as accurate a picture as possible concerning injury trends in the Texas fire service. The injury reporting program began in March 2010.

Information the commission collects

- Minor, serious, critical and fatal injuries
- Activities where fire personnel are injured
- Types of injuries (burns, strain-sprains, wounds, etc.)
- Body parts being injured
- Tasks performed at the time of injury
- Missed time
- Work assignment after injury
- Malfunctions/failures of personal protective equipment (PPE), self-contained breathing apparatus (SCBA), personal alert safety systems (PASS devices) and standard operating procedures (SOPs)

How this will help the fire service

- Identify common injuries
- Identify trends in injuries
- Identify needed training
- Evaluate and find improvements in procedures
- Track lost time injuries (requested by user community)

Reports, Information and Data Collection

This report contains data submitted by regulated and non-regulated entities. The data collected in 2016 was the sixth full year of reporting.

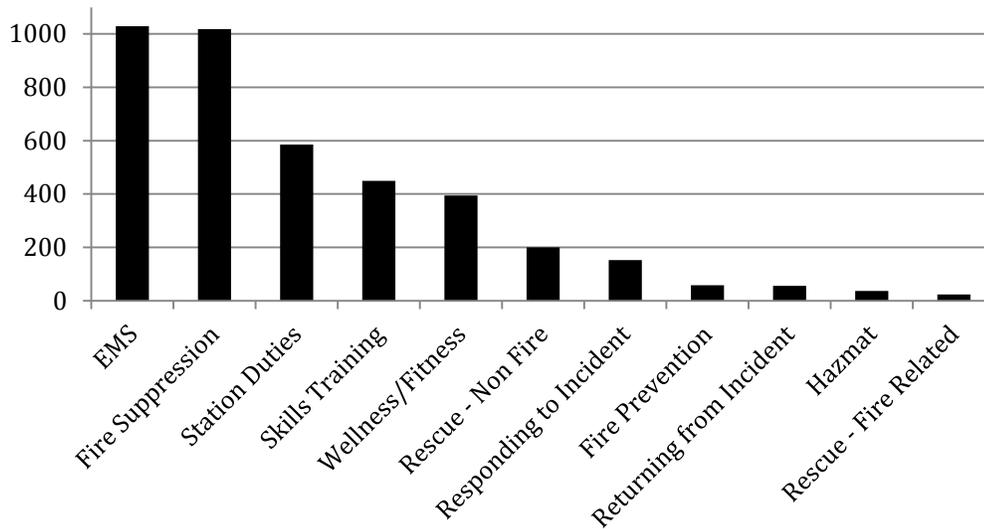
Of the approximately 575 commission-regulated fire departments included in this report, 524, or 91 percent, either submitted an injury report or a “no injury” report for months in which their personnel did not have any injuries. The commission stresses the need for participation and provides reminders to regulated entities of the statutory requirement to report.

Fire Protection Personnel Injuries

Table 1: Injuries by Activity and Severity, 2016

Activity	Minor	Serious	Critical	Fatal	Total
EMS	872	156	1		1029
Fire Suppression	837	176	6		1019
Station Duties	413	168	4		585
Skills Training	307	140	1	1	449
Wellness/Fitness	248	143	3		394
Rescue - Non Fire	149	51			200
Responding to Incident	116	36			152
Fire Prevention	47	11			58
Returning from Incident	37	18			55
Hazmat	35	1	1		37
Rescue - Fire Related	20	3			23
Total	2883	896	16	1	4001

Figure 1: Total Injuries by Activity, 2016



Minor and Serious Injuries by Activity

EMS activities resulted in the highest number of both minor and serious injuries this year. In 2013 and 2014, fire suppression activities resulted in the highest number of serious injuries, but in 2015 and 2016 there were more serious injuries in EMS and station duties than in fire suppression. There has been a steady decline in serious fire suppression injuries over the past five years. (See Table 3. The commission defines a serious injury as one which results in the employee missing one or more full duty shifts.)

Table 2: Minor Injury Activities, 2012 - 2016

Activity	2012		2013		2014		2015		2016	
	Count	Percent								
EMS	1042	32.41%	934	30.28%	900	28.03%	792	28.25%	872	28.30
Fire Suppression	654	20.43%	619	20.06%	808	25.16%	618	22.04%	837	27.17
Station Duties	508	15.80%	452	14.65%	465	14.48%	396	14.12%	413	13.40
Skills Training	367	11.42%	317	10.28%	365	11.37%	288	10.27%	307	9.96
Wellness/Fitness	294	9.14%	285	9.24%	254	7.91%	278	9.88%	248	8.05
Rescue - Non Fire	147	4.57%	243	7.88%	206	6.42%	204	7.28%	149	4.84
Responding to Incident	90	2.80%	70	2.27%	105	3.27%	122	4.35%	116	3.77
Fire Prevention	45	1.40%	66	2.14%	43	1.34%	41	1.46%	47	1.53
Returning from Incident	30	0.93%	37	1.20%	42	1.31%	33	1.18%	37	1.20
Hazmat	24	0.75%	44	1.43%	12	0.37%	11	0.39%	35	1.14
Rescue - Fire Related	14	0.44%	18	0.58%	11	0.34%	22	0.78%	20	0.65
Total	3215	100%	3085	100%	3211	100%	2805	100%	3081	100%

Table 3: Serious Injury Activities, 2012 - 2016

Activity	2012		2013		2014		2015		2016	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Fire Suppression	231	22.36%	206	21.89%	177	21.48%	160	17.82%	176	19.49
Station Duties	233	22.56%	201	21.36%	160	19.42%	174	19.27%	168	18.60
EMS	196	18.97%	179	19.02%	164	19.90%	185	20.60%	156	17.28
Wellness/Fitness	134	12.97%	122	12.96%	127	15.41%	125	14.03%	143	15.84
Skills Training	113	10.94%	99	10.52%	104	12.62%	126	13.92%	140	15.50
Rescue - Non Fire	34	3.29%	46	4.89%	38	4.61%	46	5.01%	51	5.65
Responding to Incident	43	4.16%	42	4.46%	16	1.94%	44	4.90%	36	3.99
Returning from Incident	24	2.32%	18	1.91%	19	2.31%	13	1.34%	18	1.99
Fire Prevention	18	1.74%	17	1.81%	11	1.33%	12	1.34%	11	1.22
Rescue - Fire Related	7	0.68%	11	1.17%	3	0.36%	12	1.34%	3	0.33
Hazmat	0	0	0	0	5	0.61%	4	0.45%	1	0.11
Total	1033	100.00%	941	100.00%	824	100.00%	901	100.00%	903	100%

Emergency vs. Non-Emergency Injuries

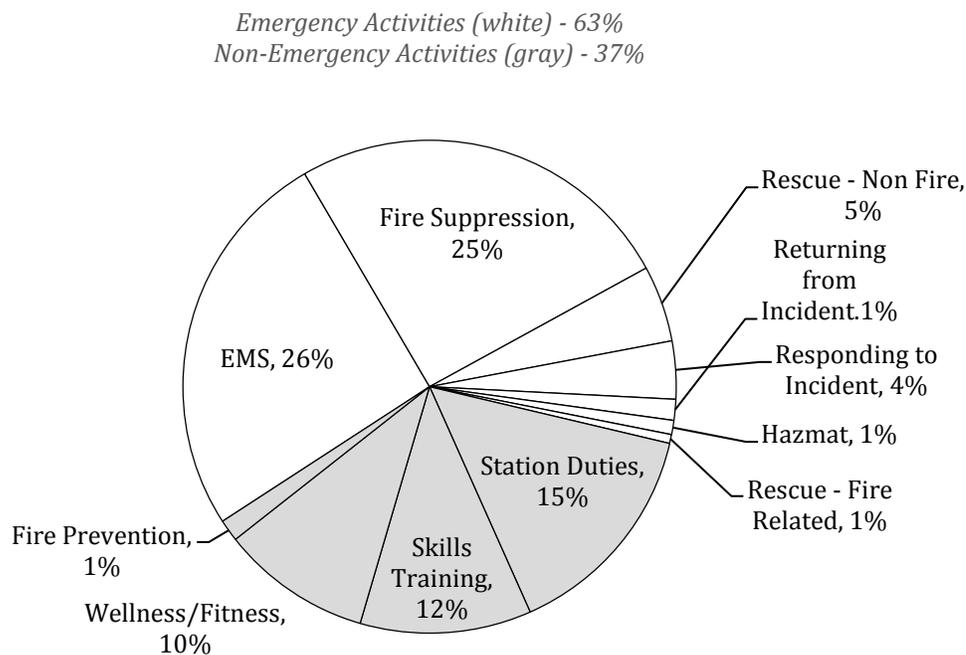
Table 4: Injuries by Emergency Activity and Severity, 2016

Activity	Minor	Serious	Critical	Fatal	Total
EMS	872	156	1		1029
Fire Suppression	837	176	6		1019
Rescue - Non Fire	149	51			200
Responding to Incident	116	36			152
Returning from Incident	37	18			55
Hazmat	35	1	1		37
Rescue - Fire Related	20	3			23
Total	2066	441	8	0	2515

Table 5: Injuries by Non-Emergency Activity and Severity, 2016

Activity	Minor	Serious	Critical	Fatal	Total
Station Duties	413	168	4		585
Skills Training	307	140	1	1	449
Wellness/Fitness	248	143	3		394
Fire Prevention	47	11			58
Total	1015	462	4	1	1486

Figure 2: Percent of Injuries in Emergency and Non-Emergency Activities, 2016

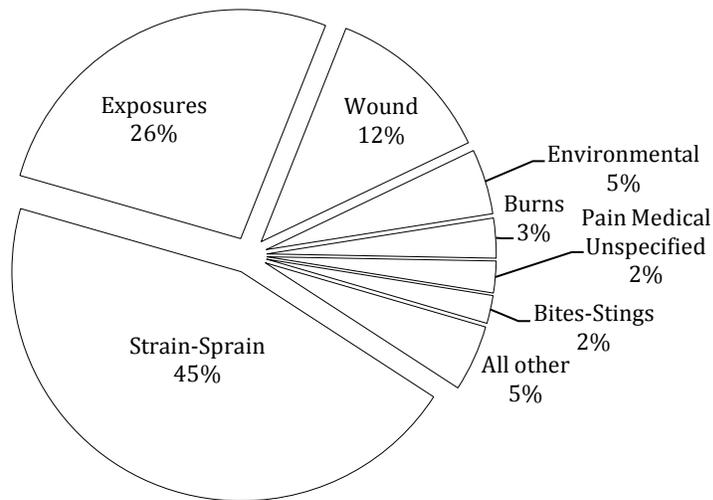


Injuries by Type

Table 6: Types of Injury, 2012-2016 (Note: ordered by 2016, descending)

Type of Injury	2012		2013		2014		2015		2016	
	Count	Percent								
Strain-Sprain	2140	50.19%	2118	52.28%	1917	47.27%	1839	49.42%	1811	45.26%
Exposures	862	20.22%	786	19.40%	1117	27.55%	868	23.33%	1064	26.59%
Wound	631	14.80%	548	13.53%	483	11.91%	491	13.20%	475	11.87%
Environmental	133	3.12%	106	2.62%	101	2.49%	142	3.82%	184	4.60%
Burns	176	4.13%	166	4.10%	113	2.79%	95	2.55%	112	2.80%
Pain Medical Unspecified	49	1.15%	62	1.53%	79	1.95%	66	1.77%	90	2.25%
Bites-Stings	93	2.18%	87	2.15%	79	1.95%	69	1.85%	79	1.97%
Chest Pains-Cardiac	40	0.94%	50	1.23%	46	1.13%	37	0.99%	49	1.22%
Fractures	46	1.08%	59	1.46%	39	0.96%	40	1.07%	42	1.02%
Hearing Loss - Chronic	7	0.16%	2	0.05%	4	0.10%	7	0.19%	35	0.87%
Debris/Penetrating	51	1.20%	38	0.94%	38	0.94%	34	0.91%	33	0.82%
Hearing Loss - Acute	18	0.42%	14	0.35%	21	0.52%	19	0.51%	16	0.40%
Electrocution	11	0.26%	12	0.30%	12	0.30%	9	0.24%	8	0.20%
Stroke	1	0.02%	0	0.00%	1	0.02%	0	0.00%	2	0.05%
Broken Spine-Neck	4	0.09%	1	0.02%	4	0.10%	2	0.05%	1	0.02%
Heart Attack	2	0.05%	2	0.05%	1	0.02%	3	0.08%	1	0.02%
Total	4264	100.00%	4051	100.00%	4055	100.00%	3721	100.00%	4001	100.00%

Figure 3: Types of Injury, 2016



Task at Time of Injury

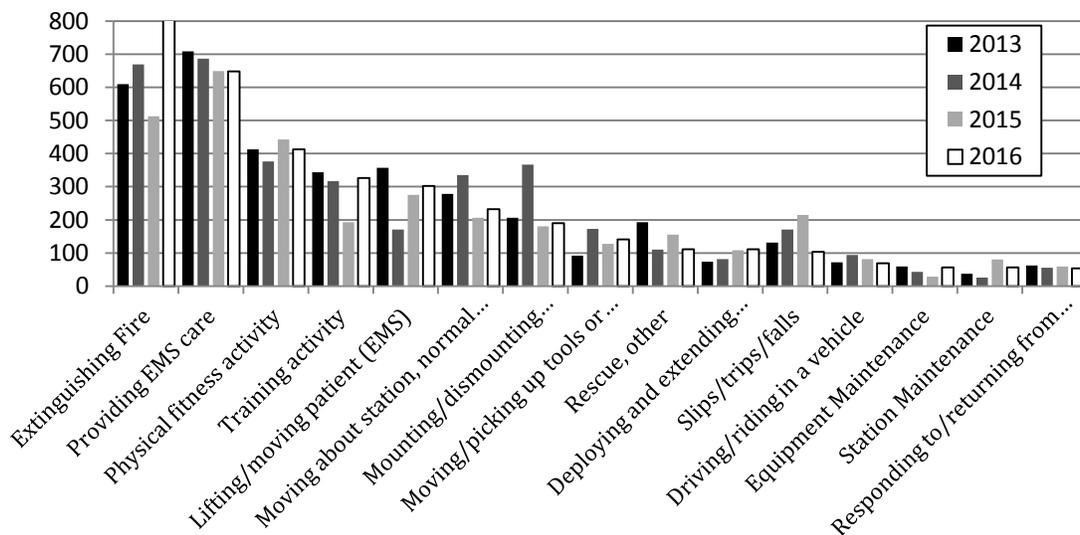
(The commission began gathering task information in mid-2012.)

Table 7: Top 15 Tasks at Time of Injury, 2013-2016 (ordered by 2016, descending)

Task	2013	2014	2015	2016
Extinguishing Fire	609	669	513	809
Providing EMS care	708	686	649	648
Physical fitness activity	413	376	442	413
Training activity	344	317	193	326
Lifting/moving patient (EMS)	357	171	275	302
Moving about station, normal activity	278	335	206	232
Mounting/dismounting apparatus	206	367	180	190
Moving/picking up tools or equipment	92	173	128	141
Rescue, other	193	110	155	111
Deploying and extending hoseline	74	82	108	111
Slips/trips/falls	131	171	215	104
Driving/riding in a vehicle	72	94	82	69
Equipment Maintenance	59	43	29	57
Station Maintenance	37	26	81	57
Responding to/returning from incident	62	56	59	54
All other*	416	379	406	377*
Total	4051	4055	3721	4001

*All other, 2016: Other: Description (54); Responding to/returning from incident (54); Vehicle maintenance (51); Overhaul (34); Extrication (30); Operating manual tool (29); Ascending/descending stairs (28); Forcible entry (19); Ascending/descending ladder (18); Moving about station, alarm sounding (17); Inspection activity (15); Operating power tool (13); Manually moving item to gain access (11); Non-fire incidents (11); Incident investigation (9); Operating in low/no visibility (8); (6); Crawling in a confined or otherwise hazardous area (6); Raising/lowering ladder (6); Operating fire department apparatus (5); Operating nozzle (4); Salvage (2); Removing equipment from/returning equipment to apparatus (1)

Figure 4: Top 15 Tasks at Time of Injury, 2013-2016



Injuries by Body Part

Table 8: Injuries by Body Part, 2012 – 2016 (ordered by 2016, descending)

Body Part	2012	2013	2014	2015	2016
Multiple body parts, whole body	760	595	901	659	974
Knee	419	407	367	369	367
Hand and fingers	453	403	345	328	349
Hip, lower back, or buttocks	35	91	244	316	281
Back, except spine	686	588	372	207	240
Shoulder	272	293	230	241	235
Ankle	213	207	177	202	185
Leg, lower	105	108	86	117	131
Multiple Parts	5	62	160	180	122
Face	95	128	118	140	115
Arm, lower, not including elbow or wrist	89	84	94	84	106
Foot and toes	132	105	79	71	84
Chest	30	66	64	40	81
Head	96	94	73	69	80
Ear	72	54	52	60	72
Wrist	71	79	68	48	71
Eye	106	100	98	75	66
Multiple body parts, upper body	22	57	27	52	61
Elbow	98	68	66	51	47
Other body parts injured	357	381	265	500*	334*
Total	4264	4051	4055	3721	4001

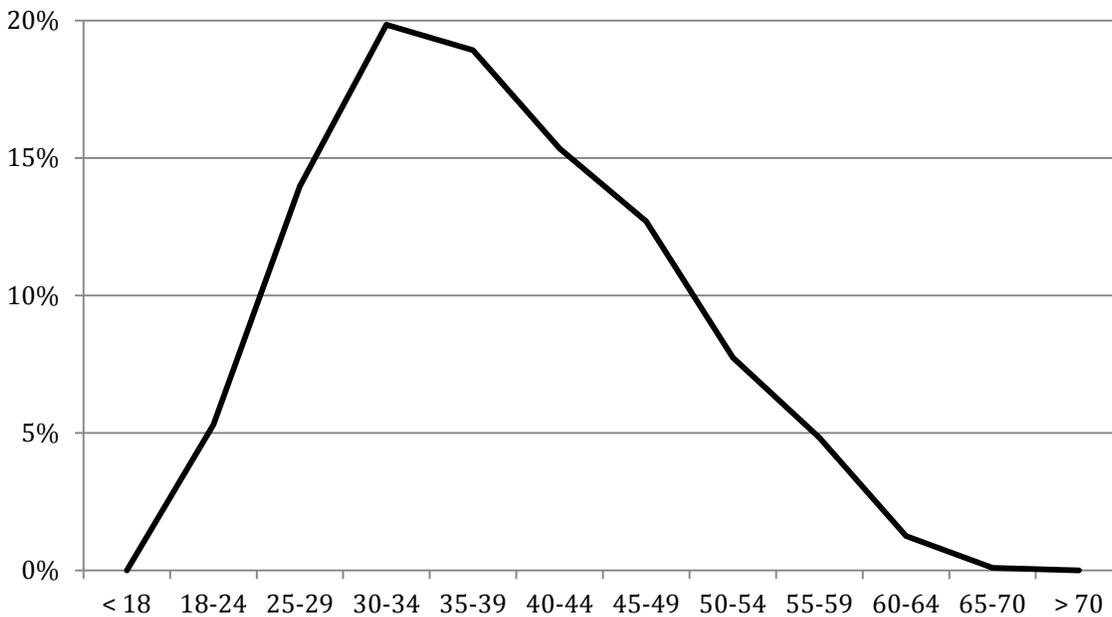
* **Other body parts injured, 2016, in descending order:** Abdomen (46); Neck (44); Trachea and lungs (43); Upper extremities (32); Arm, upper, not including elbow or shoulder (31); Pelvis or groin (31); Leg, upper (21); Neck and shoulders (21); Lower extremities (18); Mouth, included are lips, teeth, and interior (18); Undetermined (9); Multiple body parts, lower body (6); Part of body, other (4); Throat (3); Heart (2); Nose (2); Abdominal area (1); Internal (1); Spine (1)

Injuries by Age Group

Table 9: Injuries by Age Group, 2012 - 2016

Age group	2012		2013		2014		2015		2016	
	Count	Percent								
< 18	0	0.00%	0	0.00%	1	0.02%	0	0.00%	0	0.00%
18-24	254	5.96%	219	5.41%	178	4.39%	187	5.03%	212	5.30%
25-29	594	13.93%	584	14.42%	573	14.13%	543	14.59%	559	13.97%
30-34	925	21.69%	799	19.73%	749	18.47%	791	21.26%	794	19.85%
35-39	821	19.25%	729	18.00%	833	20.54%	682	18.33%	757	18.92%
40-44	621	14.56%	620	15.31%	674	16.62%	582	15.64%	614	15.35%
45-49	435	10.20%	443	10.94%	438	10.80%	405	10.88%	508	12.70%
50-54	373	8.75%	402	9.90%	380	9.37%	323	8.68%	310	7.75%
55-59	193	4.53%	198	4.89%	173	4.27%	181	4.86%	193	4.82%
60-64	41	0.96%	51	1.26%	49	1.21%	20	0.54%	50	1.25%
65-70	7	0.16%	6	0.15%	6	0.15%	5	0.13%	4	0.10%
> 70	0	0.00%	0	0.00%	1	0.02%	2	0.05%	0	0.00%
Totals	4264	100.00%	4051	100.00%	4055	100.00%	3721	100.00%	4001	100.00%

Figure 5: Injury Percentages by Age Group, 2012 - 2016



Injury Activities Resulting in Lost Time

Table 10: Injury Activities Resulting in Lost Time, Totals, 2016

Activity	Count	Days Missed	
		Average	Total
Fire Suppression	152	39	5887
Station Duties	146	41	6000
EMS	137	39	5393
Wellness/Fitness	127	39	4981
Skills Training	115	47	5363
Rescue - Non Fire	45	25	1127
Responding to Incident	30	42	1258
Returning from Incident	13	31	407
Fire Prevention	12	25	301
Rescue - Fire Related	3	8	24
Hazmat	2	10	20
Total	782	39	30761

Table 11: Activities Resulting in Lost Time, 2016, between 1 and 30 Days

Activity	Count	Days Missed	
		Average	Total
Fire Suppression	100	12	1178
Wellness/Fitness	86	12	1024
Station Duties	85	12	1001
EMS	79	13	1004
Skills Training	68	10	685
Rescue - Non Fire	34	12	397
Responding to Incident	22	12	266
Fire Prevention	11	10	113
Returning from Incident	8	15	119
Rescue - Fire Related	3	8	24
Hazmat	2	10	20
Total, Between 1 and 30 Days	498	12	5831

Injury Activities Resulting in Lost Time (continued)

Table 12: Activities Resulting in Lost Time, 2016, between 31 and 90 Days

Activity	Count	Days Missed	
		Average	Total
EMS	44	55	2431
Station Duties	42	53	2234
Fire Suppression	37	54	2006
Skills Training	28	50	1405
Wellness/Fitness	23	55	1271
Rescue - Non Fire	10	61	608
Returning from Incident	5	58	288
Responding to Incident	2	56	111
Total,	191	54	10354

Between 31 and 90 Days

Table 13: Activities Resulting in Lost Time, 2016, 91+ Days

Activity	Count	Days Missed	
		Average	Total
Skills Training	19	172	3273
Station Duties	19	146	2765
Wellness/Fitness	18	149	2686
Fire Suppression	15	180	2703
EMS	14	140	1958
Responding to Incident	6	147	881
Fire Prevention	1	188	188
Rescue - Non Fire	1	122	122
Total,	93	157	14576

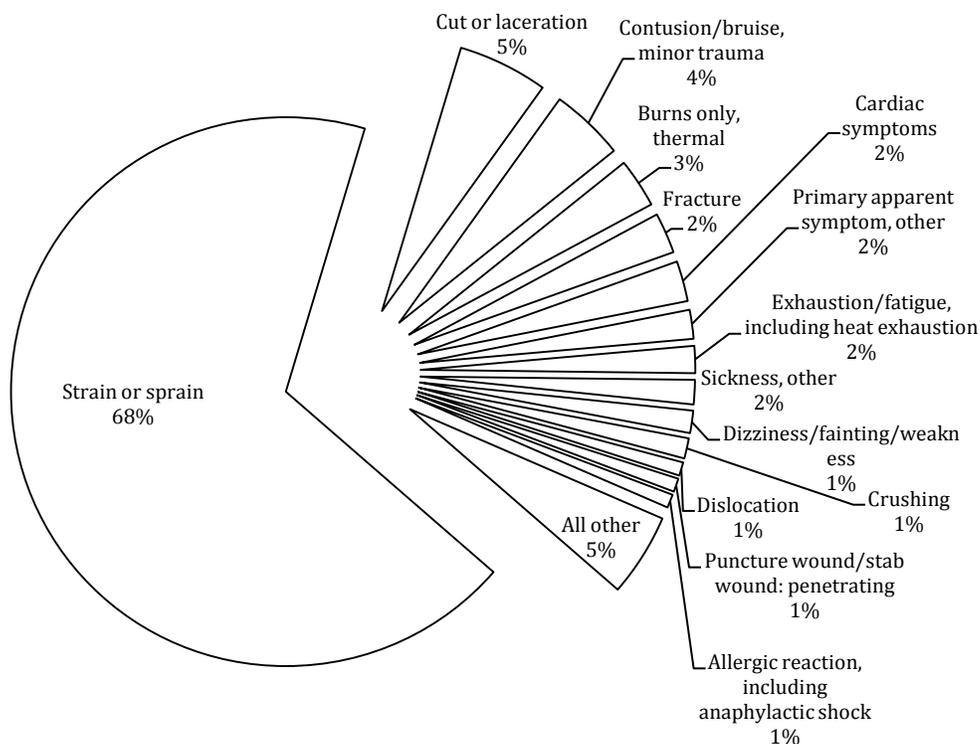
91+ Days Missed

Types of Injuries with Lost Time

Table 14: Types of Injuries Resulting in Lost Time, 2016

Type of Injury	Count	Average Days Out
Strain or sprain	518	41
Cut or laceration	40	24
Contusion/bruise, minor trauma	33	21
Burns only, thermal	22	16
Fracture	18	67
Cardiac symptoms	18	14
Primary apparent symptom, other	13	61
Exhaustion/fatigue, including heat exhaustion	12	9
Sickness, other	11	24
Dizziness/fainting/weakness	10	21
Crushing	9	28
Dislocation	6	59
Puncture wound/Stab wound: penetrating	6	20
Allergic reaction, including anaphylactic shock	6	10
All other	36	17
Total	758	36

Figure 6: Types of Injuries Resulting in Lost Time, 2016



Burn Injuries

Table 15: All Burns, 2013 - 2016

All Burns - Types	2013	2014	2015	2016
Thermal	92	76	85	92
Scald or steam	71	33	10	9
Chemical	0	2	0	3
Electric	2	2	0	2
Total	165	113	95	106

Table 16: Burns with Lost Time by Burn Type, 2016

Burns with Lost Time	Count	Average Days Missed	Total Days Missed
Thermal	22	16	357
Total	22	16	357

Table 17: Burns by Body Part, 2013 - 2016 (ordered by 2016, descending)

Body Part	2013	2014	2015	2016
Hand and fingers	35	18	14	27
Face	14	13	12	16
Ear	29	13	22	14
Wrist	10	5	4	9
Multiple body parts, upper body	3	4	5	8
Multiple parts	16	16	8	4
Neck	9	9	6	4
Foot and toes	5	2	1	3
Leg, lower	4	1	6	3
Shoulder	13	5	5	3
Unidentified	0	0	0	3
Arm, lower, not including elbow or wrist	12	9	3	2
Head	5	3	4	2
Lower extremities	5	2	1	2
Upper extremities	0	6	2	2
Arm, upper, not including elbow or shoulder	1	2	2	1
Chest	1	0	0	1
Hip, lower back or buttocks	0	1	0	1
Knee	1	0	0	1
Back, except spine	0	2	0	0
Elbow	1	0	0	0
Eye	0	1	0	0
Neck and shoulders	1	1	0	0
Throat	1	0	0	0
Total	166	113	95	106

Burn Injuries (continued)

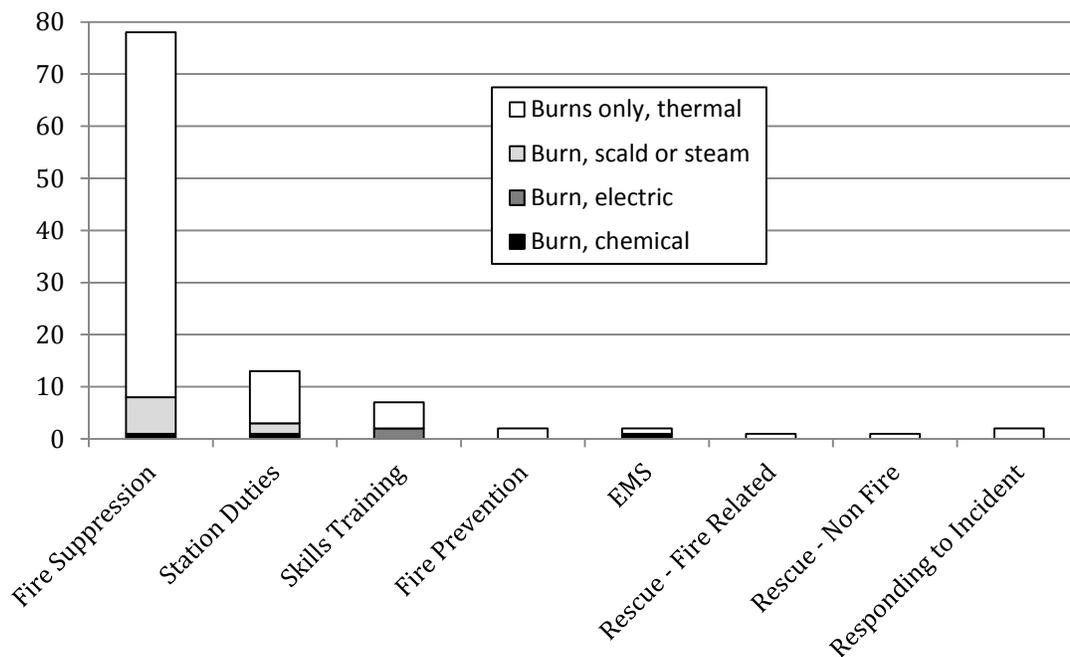
Table 18: Burns by Emergency Activity, 2016

Type	Emergency Activities				
	Fire Suppression	EMS	Responding to	Rescue - Fire Related	Rescue - Non Fire
Thermal	70	1	2	1	1
Scald or Steam	7				
Chemical	1	1			
Electric					
Total	78	2	2	1	1

Table 19: Burns by Non-Emergency Activity, 2016

Type	Non-Emergency Activities		
	Station Duties	Skills Training	Fire Prevention
Thermal	10	5	2
Scald or Steam	2		
Chemical	1		
Electric		2	
Total	13	7	2

Figure 7: Burns by Activity, 2016

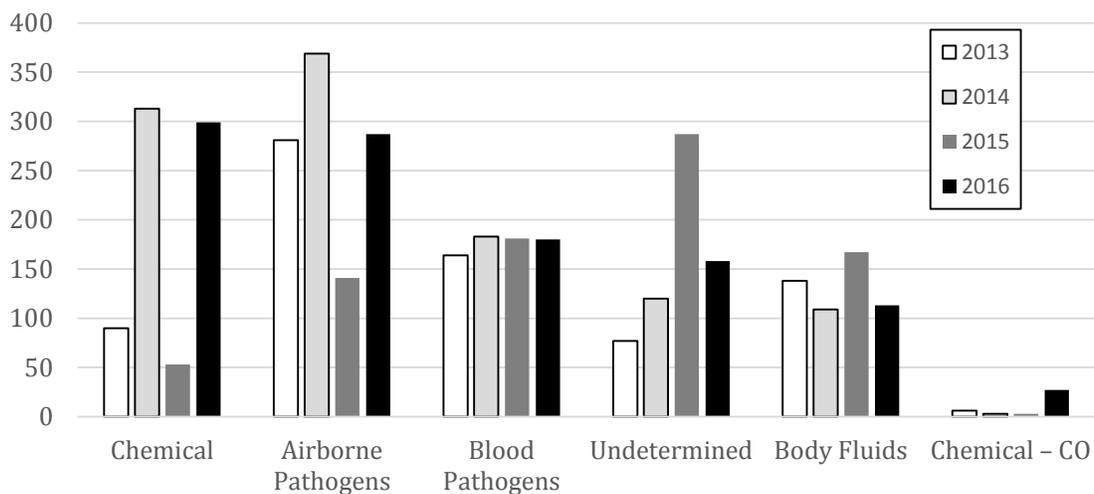


Exposures

Table 20: Routes of Exposure, 2013-2016 (ordered by 2016, descending)

Exposure Routes	2013	2014	2015	2016
Chemical (household/industrial)	90	313	53	299
Airborne Pathogens	281	369	141	287
Blood Pathogens	164	183	181	180
Undetermined	77	120	287	158
Body Fluids	138	109	167	113
Chemical (carbon monoxide)	6	3	3	27
Total	810	1218	1000	1064

Figure 8: Exposure Routes, 2013 – 2016



Exposures (continued)

Table 21: Chemical/Mineral Exposures, 2016

Chemical/Mineral	Count
Smoke or products of combustion*	296
Asbestos	40
Marijuana	30
Presumptive/potential exposures**	30
Carbon monoxide	27
Pesticide/insecticide	12
Solvent	10
Lead	8
Lithium ion batteries	8
Oil	8
Sewage or contaminated water	8
Battery acid	4
Chlorine	4
Foam	4
Suboxone powder	4
Cleaning fluids	3
Diesel fuel/diesel exhaust	3
Formaldehyde	3
Hydrogen peroxide	3
Gasoline	2
Chromium 6	1
Detergent	1
Hydrogen sulfide	1
NG grout removal	1
Exposure medication	1
Sodium nitrate	1
Valium	1
Total	516

Table 22: Other Exposures, 2016

Other	Count
Radiation treatment	7
UV light	1
Unidentified	1
Traumatic event	1
Total	10

Table 23: Chemical/Mineral Exposures, Detail 1, 2016

*Products of combustion	Count
Warehouse fire	209
Smoke	72
Metal recycling plant fire	10
Container fire	2
Manufacturing plant fire	2
Toxic gas	1
Total	296

Table 24: Chemical/Mineral Exposures, Detail 2, 2016

**Presumptive/potential exposures	Count
Allergic reaction	6
Cancer/pre-cancer	14
Nail wound	9
Post-retirement cardiac symptoms	1
Total	30

Table 25: Biological Exposures, 2016

Biological	Count
Blood	154
Tuberculosis	127
Body fluids or vomit	105
Meningitis	61
Unknown illness (EMS)	26
Mold	25
Hepatitis C	14
MRSA	14
Clostridium difficile	6
HIV	5
Measles	1
Strep	1
Total	539

Cancer reports

The commission received 14 reports of cancer diagnoses from fire departments in 2016. The commission encourages departments to report these illnesses to help the Texas fire service gain a better understanding of long-term illnesses from which fire protection personnel are suffering:

Male, 54

Five pre-cancerous sites on scalp.

Male, 48

Multiple myeloma.

Male, 41

Cancer diagnosis.

Male, 57

Prostate cancer.

Male, 46

Cancer diagnosis.

Male, 59

Squamous cell carcinoma.

Male, 51

Thyroid cancer.

Male, 31

Cancer diagnosis.

Male, 33

Thyroid cancer, papillary carcinoma.

Male, 39

Skin cancer, upper body.

Male, 43

Basal cell skin cancer.

Male, 33

Testicular cancer.

Male, 44

Cancer, internal organs.

Male, 52

Skin cancer, upper body.

SOP Issues

In 2016 there were 21 injuries attributed to failures of fire protection personnel to follow their departments' standard operating procedures (SOPs). All but a few were instances where the individuals were not wearing their provided PPE/SCBA gear in an environment or situation in which they should have been.

In its compliance inspections, the Texas Commission on Fire Protection verifies that fire departments have written SOPs that cover the appropriate subject matter.

Table 26: Injuries Attributed to SOP Issues, 2016

Activity	Minor	Serious	Total
Fire Suppression	7	4	11
EMS	3		3
Skills Training	1	2	3
Wellness/Fitness	1	2	3
Rescue - Non Fire		1	1
Station Duties		1	1
Total	12	10	22

Fatalities

The commission's 2016 injury report includes one fatality. Fatalities listed in this report include only those reported to the Texas Commission on Fire Protection (TCFP) by the entities it regulates. (The commission has no statutory authority to require reporting by departments it does not regulate.)

The State Fire Marshal's Office investigated four Texas fire fighter LODDs in 2016. (Comprehensive information regarding Texas fire service deaths is included in the State Fire Marshal's Annual Report and on its website at <http://www.tdi.texas.gov/fire/fmloddindividuals.html>.)

Close-up: wellness/fitness injuries

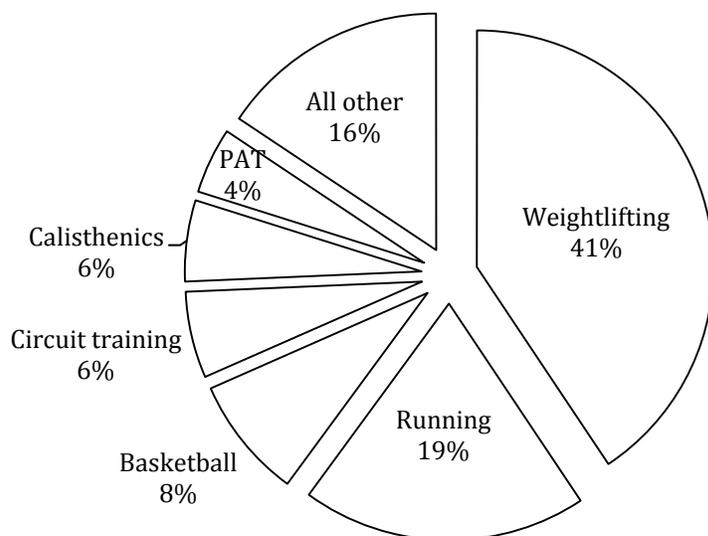
Of the 392 wellness/fitness injuries reported in 2016, 288 included brief descriptive information of the specific activity being performed at the time of injury:

Table 27: Identified fitness activities resulting in injury, 2016

Fitness activity	Count	Percent
Weightlifting	117	41%
Running	56	19%
Basketball	24	8%
Circuit training	17	6%
Calisthenics	16	6%
PAT	13	5%
All other*	45	16%
Total	288	100%

*Other fitness/wellness activities: Box jumps (6); Cardio (5); Volleyball (5); Football (4); Martial arts (3); Rowing (3); Tire flipping (3); Medicine ball (2); Walking/hiking (2); Elliptical machine (1); Flipping tires (1); Jump rope (1); Moving equipment (1); Paddle ball (1); Rescue dummy (1); Rope climb (1); Stair stepper (1); Stress test (1); Stretching (1); Tennis (1); Yoga (1)

Figure 9: Identified fitness/wellness activities resulting in injuries, 2016



Close-up: skills training injuries

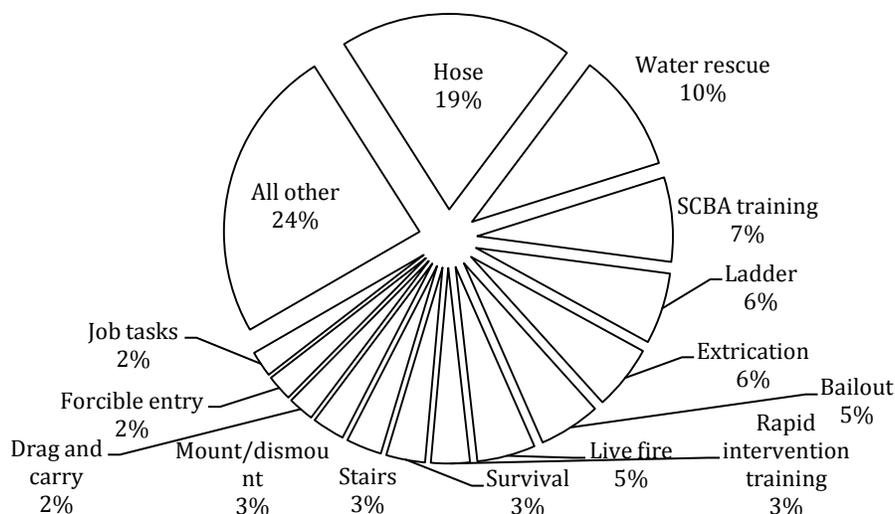
Of the 449 skills training injuries reported in 2016, 374 included brief descriptive information of the specific activity being performed at the time of injury:

Table 28: Identified skills training activities resulting in injury, 2016

Skills training activity	Count	Percent
Hose	72	19%
Water rescue	37	10%
SCBA training	26	7%
Ladder	22	6%
Extrication	20	5%
Bailout	19	5%
Live fire	18	5%
Rapid intervention training	12	3%
Survival	12	3%
Stairs	11	3%
Mount/dismount	10	3%
Drag and carry	8	2%
Forcible entry	8	2%
Job tasks	8	2%
All other*	91	24%
Total	374	100%

*Other skills training activities: Rope training (7); Search and rescue (7); EMT training (6); Moving equipment (6); Obstacle course (6); Running/walking/fitness (8); Martial arts (4); Power tool (4); Technical rescue (4); PAT (3); Active shooter (2); Blackout maze (2); Confidence course (2); Drill tower (2); High angle rescue (2); Rappelling (2); Ventilation (2); Wildland (2); Airbag (1); Apparatus (1); Car fire (1); Classroom (1); Confined space (1); Cycling (1); Denver drill (1); High rise (1); Hiking (1); Mayday training (1); Pittsburg drill (1); Salvage and overhaul (1); Search drill (1); Self evacuation (1); Sled (1); Slips, trips and falls (1); Structural collapse (1); UTV (1); Weapons (1); Weighted dummy (1)

Figure 10: Identified skills training activities resulting in injuries, 2016



Comparison between the State of Texas (2016) and National Fire Protection Association (NFPA), U.S. Firefighter Injuries – 2015

For the purposes of comparison, the commission has mapped its categories to the NFPA categories as follows:

- “Fireground” includes the commission’s Fire Suppression and Rescue – Fire Related.
- “Non-Fire” includes Rescue Non-Fire, EMS and Hazmat.
- “Other On-Duty” includes Fire Prevention, Station Duties and Wellness/Fitness.

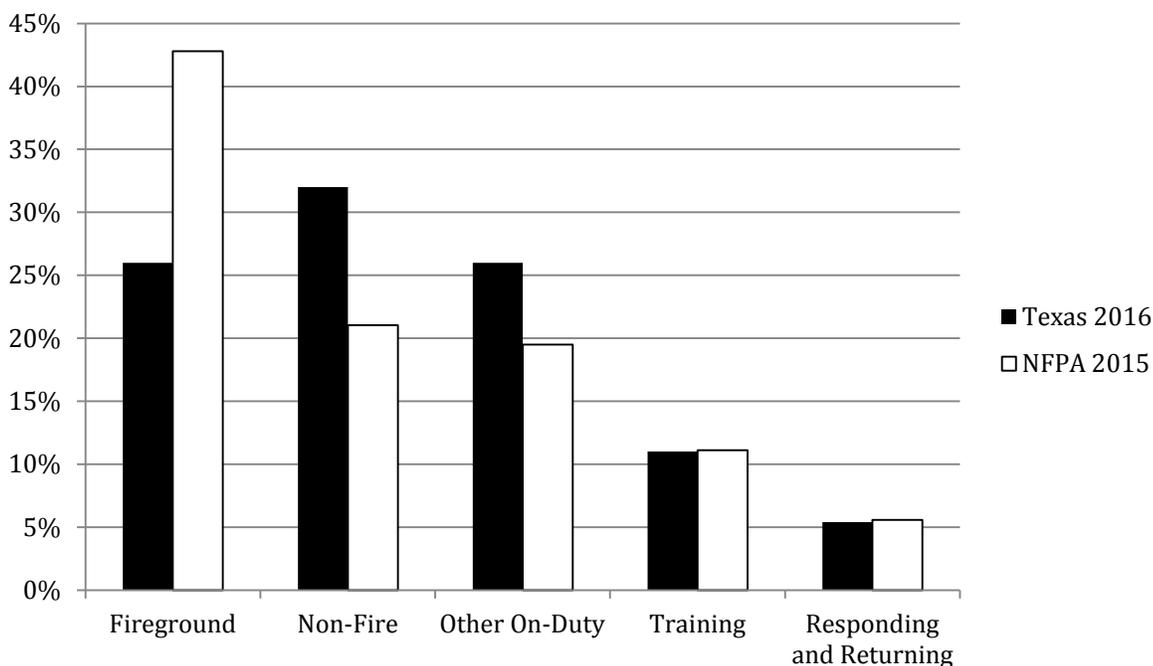
The NFPA’s “Responding and Returning” and “Training” categories appear to correspond closely to the commission’s categories. (The NFPA numbers include Texas statistics, although the reporting populations may not be the same.)

Table 29: Comparison of Texas 2016 and NFPA 2015

Category	Texas 2016		NFPA 2015*	
	Count	Percent	Count	Percent
Fireground	1042	26%	29130	43%
Non-Fire	1266	32%	14320	21%
Other On-Duty	1037	26%	13275	19%
Training	449	11%	7560	11%
Responding and Returning	207	5%	3800	6%
Total	4001	100%	68085	100%

* NFPA data is from [U.S. Firefighter Injuries – 2015](#), copyright© 2016 National Fire Protection Association, Quincy, MA.

Figure 11: Injuries by Activity Percentages – Comparing Texas 2016 and NFPA 2015



2016 Findings/Recommendations

Commission-adopted standards

The commission has adopted several NFPA and other nationally recognized standards to help keep Texas fire protection personnel safe. This list summarizes the relationships between some of the Texas laws and national standards and is not intended to be all-inclusive:

Texas Government Code

[§419.040, Protective Clothing](#)

[§419.041, Self-Contained Breathing Apparatus](#)

[§419.042, Personal Alert Safety Systems](#)

[§419.043, Applicable National Fire Protection Association Standard](#)

[§419.044, Incident Management System](#)

[§419.045, Personnel Accountability System](#)

[§419.046, Fire Protection Personnel Operating at Emergency Incidents](#)

[§419.047, Commission Enforcement](#)

Texas Administrative Code

[CHAPTER 425 FIRE SERVICE INSTRUCTORS](#)

[§443.9 National Fire Protection Association Standard](#)

[CHAPTER 435 FIRE FIGHTER SAFETY](#)

[§435.21 Fire Service Joint Labor Management Wellness-Fitness Initiative](#)

[§435.23 Fire Fighter Injuries](#)

[§435.25 Courage to be Safe So Everyone Goes Home Program](#)

[§435.27 Live Fire Training Structure Evolutions](#)

[CHAPTER 451 FIRE OFFICER](#)

[CHAPTER 457 INCIDENT SAFETY OFFICER CERTIFICATION](#)

Other resources

See also the commission's web page: [NFPA Standards adopted by the commission.](#)

13. Discussion and possible action on matters from the Executive Director.

A. Decisions of the Executive Director in contested cases and consent orders.

13. Discussion and possible action on matters from the Executive Director.

B. Status of division functions.

Commission Report, 2nd Quarter FY2017 Overview and Executive Office

Overview

The second quarter saw the start of the 85th legislative session. As in sessions before, TCFP is tracking bills related to the Texas fire and emergency services, and posted the legislation on its website for any interested persons. A few bills were filed that directly impact the agency, and are being watched closely as they progress through the process. The executive office:

- Met with the agency's LBB liaison on January 27th to discuss the legislature's proposed budgets (SB1 and HB1).
- Testified before the Senate Finance Committee on February 8th.
- Testified before the House Appropriations Committee on February 20th.
- Presented an agency overview to the House Urban Affairs Committee on February 21st.

The Commission's only request this session is for the final removal of the additional revenue requirement in Rider #2 of the agency's budget, representing \$1.5 million. As of this writing, the additional amount has been struck from the House budget, but remains in the Senate version. A final decision will be made during the reconciliation process.

The agency continued to experience high testing volume during the 2nd quarter, with certification activity close behind. We continue to see substantial interest from both individuals and organizations for professional development certifications offered by the agency. New rules were implemented on January 1st requiring persons to pass all sections of multi-section exams to qualify for certification. The requirement affects Structural Fire Protection and Fire Inspector exams.

Staff began drafting rule language for a new, more basic, Fire Inspector certification. The draft language should reflect the recommendations of the special committee that had been formed to explore the possibility of the new certification.

Work continues to progress on the complete redesign of the agency's data management system. Testing of the various modules is conducted as needed, with staff slated to perform most of the testing. Outside individuals will be included in the testing activities as needed. Once implemented, the newly designed system will impact nearly every activity in the organization.

Other Executive Office Activities

December 12th: Presented at TFCA South Region meeting in Seguin.

January 9th/10th: Attended TEEX Leadership Symposium in Frisco.

January 17th/18th: Attended Chief's Conference in Galveston (agency also had a table).

February 1st: Presented to Fire Instructor Association of North Texas (FIANT) in Grapevine.

Commission Quarterly Report

Training Approval and Testing Section

- **Test Administration, Training Approvals, Record Reviews, and Training and Skill Testing Audits Statistics – 2nd Quarter, FY 2017**
 - Test Administration – 2499 exams were administrated during this quarter with an average grade of 80.96% and a pass rate of 86.42%.
 - Training Approvals – Total of 717 training approvals were submitted with start dates during this quarter in the commission’s Training Facility Management System.
 - Record Reviews – Seventy-three (73) record reviews for equivalency were conducted (16 Out of State/College Route; 45 SFFMA; 12 Wildland (11 Basic/1 Intermediate); and 487 test packets were distributed in the 2nd quarter. One hundred sixteen (116) Qual #s was issued in the Training Facility Management System.
 - Training and Skill Testing Audits –
 - Twenty-four (24) onsite training, record, and skill audits were conducted during this quarter. Onsite audits deficiencies are scattered. But, the most common seems to be skills not taking place at the place/time specified on the TPA. Most deficiencies are corrected onsite and do not require any further action. **Notable Audits:** One training provider failed to conduct state skills in accordance with TCFP rules resulting in skills being reset and rescheduled for a different date. Another training provider failed to conduct skills when scheduled resulting in skills being reset and rescheduled. State skills were then conducted correctly by both training providers.
 - Thirty-seven (37) online training audits were conducted with minor deficiencies identified. Most common deficiency with the online audits is access to the online sites due to passwords expiring and software updates. The staff person responsible for online audits has developed a relationship with IFSTA (Resource One) that eliminates a big portion of the password and software update problems with training facilities that use their site. Community colleges and training facilities that use a different training sites will still be a constant struggle to make sure that all the passwords and other items are kept up to date. Overall, training providers appear to be following commission rules and requirements.
- **Activities for the Next Quarter**
 - Continue to work with IT staff on the online test scheduling procedures, payment processes, and web-based testing project. The online application and payment process is moving forward and beta testing will begin soon.
 - Will be working in conjunction with the Compliance Manager to transition the control of onsite audits from Training Approval and Testing to Compliance. Training Approval and Testing will retain control of online audits.

Certification, Renewal and Curriculum 2nd Quarter Report, FY 2017

Certification/Renewal

- 2703 certificates issued
- 1264 IFSAC seals issued
- 257 training facilities holding 1590 active certifications
- 230 certificate holders renewed
- 32,004 active certificate holders
- 27 training facility certificates issued to 10 different entities

Other Activities:

- Hired Kristen Borthwick for the vacant certification position. She is a very quick learner, is tech savvy and has excellent communication skills. She also has a bachelor's degree in communications from Randolph College.
- Completed the renewal of certified training facilities. At this time, there are only 11 certified training facilities (with an expiration date of 1/31/2017) who have not renewed their TF certificates.
- The individual CE audit process is back to full speed
- Sylvia Miller participated in the Inspector ad-hoc committee meetings on 12/15/2016.

Quarterly Report – Curriculum Development December 2016 – February 2017

Meetings

Jan 5: Commission meeting

Jan. 19-20: Investigator ad hoc committee

Jan. 25: Inspector ad hoc committee

Feb. 21: Fire and Life Safety Educator ad hoc committee

Feb. 22-24: Curriculum & Testing Committee

Meetings Detail

- **Commission meeting**
Nothing to report – no items on the agenda
- **Investigator ad hoc committee**
First meeting of the newly re-convened Investigator ad hoc committee. Some returning members and some new members are on the committee. This committee reconvened because NFPA 921 has been updated, and so the curriculum needs to be updated.
- **FLSE ad hoc committee**
First meeting of this new committee which has been created to develop the new FLSE I and II certifications.

- **Curriculum & Testing committee**

Committee updates

- Hazmat (Louie)
- Marine (Louie, David)
- FLSE (Grace)
- Inspector (Grace) – review Inspector I certification docs as requested by commission; updated Basic Inspector reference list for review/approval
- On-Line testing (David)

Discussion: Which rescue specialty certification(s) to create first

ISO – adding a skill that would require a person to analyze a simulated LODD and provide recommendations (training, amending SOPs, etc.) based upon that analysis. (see Tim’s email dated 1/11/17)

Recommended hours requirement (Commissioner Robert Moore will attend this discussion) (Note, from Mike Montgomery: I would like to see the curriculum and testing committee consider the review of recommended hours for all TCFP courses, especially since the Tx ProBoard provider of this course, among others, offers FI-I as a 64 hour class)

IFSAC

We had two meetings this quarter to begin preliminary preparations for our IFSAC site visit (audit) which is due to happen in June 2018. Much of the work needing attention revolves around creating policies and/or procedures for on-line testing.

Test Development and Test Bank Maintenance

- David continues to work with the IT staff in developing the new on-line testing platform.
- The Inspector I, II and Plans Examiner I test banks were updated to new editions of IFSTA text books. We were not able to start using this bank yet, since the FFAC decided not to meet in December, which caused the updated reference list to be put off until their March 2017 meeting. Once the commission approved the reference list we can start using the new test bank.
- Created 142 monthly certification exams.
- Continued regular review of test questions as required.
- Continued to work on creating (with the help of committees) the following new test banks for on-line testing:
 - All Hazmat disciplines (Aw, Ops, Mission-Specific, Tech, IC)
 - ISO
 - D/O-A
 - Basic Wildland
 - Firefighter I

Compliance Report

Second Quarter FY16-17

- Compliance Inspector Rick Wallace attended the North Texas Regional meeting of the Texas Fire Chiefs Association meeting and provided updates on TCFP issues. Included was an update from the Executive Director's notes related to the 85th Legislature and TCFP budget priorities and fee scenarios of possible reductions in some fees depending on the legislative outcome.
- Compliance team field officers attended annual end of year meeting update from the Executive Director and enjoyed holiday fellowship with the Austin staff including a luncheon and gift exchange.
- Compliance team participated in three Skype meetings December, January and February to receive updates and training on compliance issues, procedures and concerns. Some agenda items included:
 - Updates on status of agency data base system conversions
 - ARFF appointment duties requiring ARFF certifications vs. the dispatching of fire apparatus to airport emergencies
 - CTBS training and deadline for this requirement
 - Compliance Program Performance Measure updates
 - Other compliance related issues, concerns and training updates
- Compliance Inspector Tim Gardner staffed the TCFP information and education booth at the Texas Association of Fire Educators, (TAFE) Conference in Corpus Christ. In addition, Tim and Cliff Grant of the Training Approval and Testing Program participated in the question and answer roundtable discussion.
- Executive Director Tim Rutland, Compliance Manager Paul Maldonado, and Certification and Professional Development Manager Sylvia Miller met with the Sugarland Fire Department Fire Chief and members of his executive staff to review the department's plan to handle a one-time special event to support Sugarland Regional Airport fire and EMS standby. It was determined that under these specific circumstances that ARFF appointments and certifications were not required for this special event.

FY 2017 Injury Reporting Program

	1Q	2Q	3Q	4Q	Totals
Reported Injuries	861	1032			1893
Burns	23	21			44
SOP-related*	4	3			7
Environmental	41	57			98

*Injuries involving SOP violations

FY 2017 Library Program

	1Q	2Q	3Q	4Q	Totals
<i>Items loaned</i>					
AV items	21	25			46
Print items	9	5			14
<i>Research and reference requests</i>					
Internal	5	3			8
External	26	36			62
New library borrowers (new users)	6	4			10
Responses to borrower follow-up surveys	1	2			3
<i>Items cataloged</i>					
AV items	5	0			5
Print items	3	6			9
Desk copy items ordered and processed	1	2			3
<i>Publications/postings</i>					
Library newsletter	0	2			2

FY 2017 Other Public Information and Outreach Activities

	1Q	2Q	3Q	4Q	Totals
Fire department job postings	162	140			302
Number of departments requesting postings	128	135			199*
Website home page articles	1	0			1
Facebook posts	24	17			41
Twitter "tweets"	28	21			49
Open records requests	211	224			435

*Non-cumulative

Information Technology Commission Report 2nd Quarter FY16-17

- Development of FIONA projects (new FIDO, FARM, and Online Exam) is ongoing
 - FIDO structural design and migration to SPA architecture complete
 - Online Exam UI design and migration to SPA architecture complete
 - FARM functional and manual testing ongoing
- On boarded new Frontend Programmer: Mr. Christopher Perkins.
- Resolved 41 Service Request (Tickets)
 - Internal users: 12 (may have indirectly addressed external issues.)
 - External users: 29
- Reworked data collection and presentation of performance measures for existing FARM.
- Added CRUD pages for TIMP and CTBS to existing FARM.
- Migrated and consolidated iFIDO, dFIDO and EPAY to Windows Server 2012 to meet Texas.Gov (payment system) upcoming security protocol requirement: TLS.
- Data Migration from old database to new FIONA database is still ongoing
 - ETL data
 - Data transcription
- Underwent DPS audit
 - Completed recommend Criminal Justice System Security & Awareness Training

- 14. Executive session pursuant to Section 551.074, Texas Government Code for the discussion of personnel matters: the appointment, employment, compensation, evaluation, reassignment, duties, discipline, or dismissal of the Executive Director, and the appointment, employment, reassignment, or duties of personnel acting on an interim basis in this position.**

15. **Open session for further discussion and possible action regarding preceding agenda item.**

16. Adjourn meeting.